

Exhibit C

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**U.S. District Court
DISTRICT OF KANSAS (Kansas City)
CIVIL DOCKET FOR CASE #: 2:00-cv-02043-CM**

Western Resources v. Union Pacific RR Co, et al
Assigned to: District Judge Carlos Murguia
Demand: \$75,000
Case in other court: 10CCA, 03-03117
Cause: 28:1332 Diversity-Breach of Contract

Date Filed: 01/24/2000
Date Terminated: 09/16/2002
Jury Demand: Plaintiff
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

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Date Filed	#	Docket Text
01/24/2000	1	COMPLAINT; jury demand by plaintiff; no summons issued (MG) (Entered: 01/25/2000)
01/24/2000	2	DESIGNATION OF PLACE OF TRIAL - trial to be held in Kansas City, Kansas by plaintiff (MG) (Entered: 01/25/2000)
01/24/2000		FILING FEE PAID on 1/24/00 in the amount of \$150.00 Receipt #085215 (MG) (Entered: 01/25/2000)
02/11/2000	3	WAIVER OF SERVICE of summons by defendant Union Pacific RR Co sent on 1/24/00 and signed on 2/4/00 (ICMSUSER) (Entered: 02/14/2000)
02/16/2000	4	ORDER ENTERED: by Judge Kathryn H. Vratil Case referred to Magistrate Judge David J. Waxse for pretrial proceedings (cc: all counsel) (ICMSUSER) (Entered: 02/17/2000)
02/22/2000	5	WAIVER OF SERVICE of summons by defendant sent on 1/24/00 and signed on 2/18/00 (ICMSUSER) (Entered: 02/24/2000)

03/24/2000	6	ANSWER by defendant Union Pacific RR Co to complaint [1-1] (YH) (Entered: 03/27/2000)
03/24/2000	7	DESIGNATION OF PLACE OF TRIAL - trial to be held in Kansas City, Kansas by defendant Union Pacific RR Co (YH) (Entered: 03/27/2000)
03/24/2000	8	ANSWER by defendant Burlington No Santa to complaint [1-1] (YH) (Entered: 03/27/2000)
04/03/2000	9	MINUTE ORDER ENTERED by Clerk Case reassigned to Judge Carlos Murguia (cc: all counsel) (ICMSUSER) (Entered: 04/04/2000)
04/24/2000	10	INITIAL ORDER REGARDING PLANNING AND SCHEDULING ENTERED: by Magistrate Judge David J. Waxse scheduling conference set for 3:00 p.m. on 5/30/00 (cc: all counsel) (YH) Modified on 07/18/2000 (Entered: 04/25/2000)
05/03/2000	11	MOTION for attorney Harris Weinstein to appear pro hac vice by defendant Union Pacific RR Co referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) (YH) (Entered: 05/04/2000)
05/03/2000	12	MOTION for attorney Jay T. Smith to appear pro hac vice by defendant Union Pacific RR Co referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) (YH) (Entered: 05/04/2000)
05/04/2000		PRO HAC VICE FEE PAID re: motion for attorney Jay T. Smith to appear pro hac vice by defendant Union Pacific RR Co referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) [12-1], re: motion for attorney Harris Weinstein to appear pro hac vice by defendant Union Pacific RR Co referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) [11-1] by attorney Jay Smith and Harris Weinstein on 5/4/00 in the amount of \$ 20.00 (Receipt # 086082) (YH) (Entered: 05/05/2000)
05/08/2000	13	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion for attorney Harris Weinstein to appear pro hac vice by defendant Union Pacific RR Co (cc: Attorney Admissions) [11-1] (cc: all counsel) (YH) (Entered: 05/09/2000)
05/08/2000	14	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion for attorney Jay T. Smith to appear pro hac vice by defendant Union Pacific RR Co (cc: Attorney Admissions) [12-1] (cc: all counsel) (YH) (Entered: 05/09/2000)
05/11/2000	15	MOTION for attorney Anne D. Cartwright to appear pro hac vice by plaintiff Western Resources referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) (YH) (Entered: 05/12/2000)
05/11/2000		PRO HAC VICE FEE PAID re: motion for attorney Anne D. Cartwright to appear pro hac vice by plaintiff Western Resources referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) [15-1] by attorney Anne Cartwright on 5/11/00 in the amount of \$ 10.00 (Receipt # 086155) (YH) (Entered: 05/12/2000)
05/18/2000	16	

		ORDER ENTERED: by Magistrate Judge David J. Waxse denying motion for attorney Anne D. Cartwright to appear pro hac vice by plaintiff Western Resources cc: (Attorney Admissions) [15-1] (cc: all counsel) (YH) (Entered: 05/19/2000)
05/23/2000	17	REPORT of parties' planning meeting by plaintiff and defendants (amended) (YH) (Entered: 05/24/2000)
05/25/2000	18	MOTION for attorney Samuel M. Sipe, Jr. to appear pro hac vice by defendant Burlington No Santa referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) (YH) (Entered: 05/31/2000)
05/25/2000	19	MOTION for attorney Linda Stein to appear pro hac vice by defendant Burlington No Santa referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) (YH) (Entered: 05/31/2000)
05/25/2000		PRO HAC VICE FEE PAID re: motion for attorney Linda Stein to appear pro hac vice by defendant Burlington No Santa referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) [19-1], re: motion for attorney Samuel M. Sipe, Jr. to appear pro hac vice by defendant Burlington No Santa referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) [18-1] by attorney Linda Stein and Samuel Sipe on 5/26/00 in the amount of \$ 20.00 (Receipt # 086301) (YH) (Entered: 05/31/2000)
06/02/2000	20	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion for attorney Linda Stein to appear pro hac vice by defendant Burlington No Santa (cc: Attorney Admissions) [19-1], granting motion for attorney Samuel M. Sipe, Jr. to appear pro hac vice by defendant Burlington No Santa (cc: Attorney Admissions) [18-1] (cc: all counsel) (YH) (Entered: 06/05/2000)
06/06/2000	21	SCHEDULING ORDER ENTERED by Magistrate Judge David J. Waxse Discovery deadline 7/2/00; dispositive motion deadline 8/18/00; Scheduling Conference held on 5/30/00; pretrial conference set for 1:30 p.m. on 7/17/01; status conference set for 10:00 a.m. on 8/28/00; jury trial set for 1/8/02 (cc: all counsel) (YH) (Entered: 06/07/2000)
06/16/2000	22	JOINT MOTION to extend time until 6/23/00 to file motion for protective order by plaintiff and defendants referred to Magistrate Judge David J. Waxse (YH) (Entered: 06/19/2000)
06/20/2000	23	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion to extend time until 6/23/00 to file motion for protective order by plaintiff and defendants [22-1] (cc: all counsel) (YH) (Entered: 06/21/2000)
06/23/2000	24	JOINT MOTION for protective order by plaintiff, defendants referred to Magistrate Judge David J. Waxse (KM) (Entered: 06/26/2000)
06/23/2000	26	CERTIFICATE OF SERVICE of Initial Disclosures by defendant Union Pacific RR Co (KM) (Entered: 06/26/2000)
06/26/2000	25	CERTIFICATE OF SERVICE of Rule 26(A)(1) Disclosures by plaintiff (KM) (Entered: 06/26/2000)
06/26/2000	27	

		PROTECTIVE ORDER by Magistrate Judge David J. Waxse: granting motion for protective order by plaintiff, defendants [24-1] See protective order for details. (cc: all counsel) (YH) (Entered: 06/28/2000)
07/05/2000	28	MOTION for attorney Eric Bossett to appear pro hac vice by defendant Union Pacific RR Co referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) (YH) (Entered: 07/06/2000)
07/07/2000	29	ORDER ENTERED: by Magistrate Judge David J. Waxse denying motion for attorney Eric Bossett to appear pro hac vice by defendant Union Pacific RR Co (cc: Attorney Admissions) [28-1] (cc: all counsel) (YH) (Entered: 07/10/2000)
07/07/2000		PRO HAC VICE FEE PAID re: motion for attorney Eric Bosset to appear pro hac vice by defendant referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) [30-1] by attorney Eric Bossett on 7/7/00 in the amount of \$ 10.00 (Receipt # 086682) (YH) (Entered: 07/12/2000)
07/10/2000		PRO HAC VICE FEE PAID re: motion for attorney Eric Bosset to appear pro hac vice by defendant referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) [30-1] by attorney Eric Bosset on 7/10/00 in the amount of \$ 10.00 (Receipt # 086706) (YH) (Entered: 07/12/2000)
07/11/2000	30	MOTION for attorney Eric Bosset to appear pro hac vice by defendant referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) (YH) (Entered: 07/12/2000)
07/18/2000	31	CERTIFICATE OF SERVICE of first set of requests for production of documents and by plaintiff Western Resources (YH) (Entered: 07/19/2000)
07/19/2000	32	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion for attorney Eric Bosset to appear pro hac vice by defendant (cc: Attorney Admissions) [30-1] (cc: all counsel) (YH) (Entered: 07/20/2000)
07/21/2000	33	CERTIFICATE OF SERVICE of supplemental disclosure on dfts by plaintiff Western Resources (MM) (Entered: 07/25/2000)
07/26/2000	34	ORDER ENTERED: by Magistrate Judge David J. Waxse that a maximum of (40) depositions shall be taken by each party in this case (cc: all counsel) (MM) (Entered: 07/27/2000)
08/03/2000	35	MOTION with memorandum in support for leave to file first amended complaint by plaintiff Western Resources referred to Magistrate Judge David J. Waxse (YH) (Entered: 08/04/2000)
08/08/2000	36	JOINT MOTION to extend time until August 31, 2000 in which to respond to plaintiff's first set of interrogatories by defendant referred to Magistrate Judge David J. Waxse (YH) Modified on 08/16/2000 (Entered: 08/09/2000)
08/10/2000	37	CERTIFICATE OF SERVICE of joint first set of requests for production of documents by defendant (YH) (Entered: 08/11/2000)
08/14/2000	38	CERTIFICATE OF SERVICE of second set of request for production of documents by plaintiff Western Resources (YH) (Entered: 08/14/2000)
08/15/2000	39	

		ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion to extend time until August 31, 2000 in which to respond to plaintiff's first set of by defendant [36-1] (cc: all counsel) (YH) (Entered: 08/16/2000)
08/29/2000	40	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion for leave to file first amended complaint by plaintiff Western Resources [35-1] telephone status conference set for 9:00 am on 9/29/00 ; granting dft's oral motion to extend deadline for filing motion to dismiss until 11/3/00; parties shall advise court by 9/22/00 of selection of mediator (cc: all counsel) (MM) (Entered: 08/30/2000)
08/29/2000	48	FIRST AMENDED COMPLAINT re: complaint [1-1] by plaintiff Western Resources; jury demand (MM) (Entered: 09/13/2000)
08/30/2000	41	CERTIFICATE OF SERVICE of first set of interrogatories by defendant Union Pacific RR Co (YH) (Entered: 08/31/2000)
09/01/2000	42	CERTIFICATE OF SERVICE of objections and responses to plaintiff's first set of requests for production of documents by defendant Burlington No Santa (YH) (Entered: 09/06/2000)
09/05/2000	44	NOTICE of reservation of rights pending further discovery by Union Pacific RR Co and Burlington No Santa (YH) (Entered: 09/06/2000)
09/05/2000	45	NOTICE OF SERVICE of first amended complaint by plaintiff Western Resources (YH) (Entered: 09/06/2000)
09/05/2000	46	UNOPPOSED MOTION to extend time until September 25, 2000 to respond to defendant's joint first set of requests for production of documents by plaintiff Western Resources referred to Magistrate Judge David J. Waxse (YH) (Entered: 09/06/2000)
09/05/2000	43	ANSWER by defendant Union Pacific RR Co to first amended complaint [48-1] (MM) (Entered: 09/13/2000)
09/07/2000	47	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion to extend time until September 25, 2000 to respond to defendant's joint first set of requests for production of documents by plaintiff Western Resources [46-1] (cc: all counsel) (YH) (Entered: 09/08/2000)
09/14/2000	49	CERTIFICATE OF SERVICE of third set of requests for production of documents by plaintiff Western Resources (YH) (Entered: 09/15/2000)
09/18/2000	50	ANSWER by defendant Burlington No Santa to amended complaint [48-1] (YH) (Entered: 09/19/2000)
09/19/2000	51	MOTION to compel Rule 26(a)(1)(C) Disclosures by defendants referred to Magistrate Judge David J. Waxse (KM) (Entered: 09/19/2000)
09/19/2000	52	MEMORANDUM by defendants in support of motion to compel Rule 26(a)(1) (C) Disclosures by defendants referred to Magistrate Judge David J. Waxse [51-1] (KM) (Entered: 09/19/2000)
09/19/2000	53	AFFIDAVIT of Jay Smith (FILED UNDER SEAL) (TRS) (Entered: 09/20/2000)

09/21/2000	54	MOTION with memorandum in support for order placing previous court filing under seal by defendant Union Pacific RR Co referred to Magistrate Judge David J. Waxse (YH) (Entered: 09/22/2000)
09/25/2000	55	MOTION to extend time until 10/4/00 to respond to Union Pacific RR Company's first set of interrogatories by plaintiff Western Resources referred to Magistrate Judge David J. Waxse (YH) (Entered: 09/26/2000)
09/26/2000	56	CERTIFICATE OF SERVICE of first set of request for production of documents by plaintiff Western Resources (YH) (Entered: 09/27/2000)
09/27/2000	57	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion to extend time until 10/4/00 to respond to Union Pacific RR Company's first set of interrogatories by plaintiff Western Resources [55-1] (cc: all counsel) (YH) (Entered: 09/27/2000)
09/28/2000	58	ORDER ENTERED: by Magistrate Judge David J. Waxse Status Conference is hereby canceled (cc: all counsel) (YH) (Entered: 09/28/2000)
10/02/2000	59	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion for order placing previous court filing under seal by defendant Union Pacific RR Co. [54-1] (cc: all counsel) (YH) (Entered: 10/03/2000)
10/03/2000	60	MEMORANDUM in opposition by plaintiff Western Resources to motion to compel Rule 26(a)(1)(C) Disclosures by defendants referred to Magistrate Judge David J. Waxse [51-1] (YH) (Entered: 10/04/2000)
10/04/2000	61	CERTIFICATE OF SERVICE of response to first set of interrogatories by plaintiff Western Resources (YH) (Entered: 10/05/2000)
10/05/2000	62	UNOPPOSED JOINT MOTION to seal plaintiff's Memorandum in Opposition to defendants' Motion to Compel by defendants referred to Magistrate Judge David J. Waxse (VLW) (Entered: 10/06/2000)
10/10/2000	63	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion to seal plaintiff's Memorandum in Opposition to defendants' Motion to Compel by defendants [62-1] (cc: all counsel) (YH) (Entered: 10/11/2000)
10/10/2000	64	PRELIMINARY WITNESS AND EXHIBIT LIST submitted by defendant Union Pacific RR Co (YH) (Entered: 10/11/2000)
10/10/2000	65	PRELIMINARY WITNESS AND EXHIBIT LIST submitted by plaintiff Western Resources (YH) (Entered: 10/11/2000)
10/10/2000	66	PRELIMINARY WITNESS AND EXHIBIT LIST submitted by defendant Burlington No Santa (YH) (Entered: 10/11/2000)
10/11/2000	67	CERTIFICATE OF SERVICE of second set of interrogatories by defendant Union Pacific RR Co (YH) (Entered: 10/13/2000)
10/16/2000	68	CERTIFICATE OF SERVICE of fourth set of request for production of documents by plaintiff Western Resources (YH) (Entered: 10/17/2000)
10/17/2000	69	

		CERTIFICATE OF SERVICE of response to first interrogatories and third set of request for production of documents by defendant Union Pacific RR Co (YH) (Entered: 10/17/2000)
10/18/2000	70	REPLY by defendant to response to motion to compel Rule 26(a)(1)(C) Disclosures by defendants referred to Magistrate Judge David J. Waxse [51-1] (YH) (Entered: 10/19/2000)
10/19/2000	71	MOTION for partial summary judgment by defendant Union Pacific RR Co referred to Judge Carlos Murguia (FILED UNDER SEAL-VAULT) (YH) (Entered: 10/20/2000)
10/20/2000	72	MAIL RETURNED re: order [47-1] addressed to Eric Bosset for defendant Union Pacific RR Co; not remailed (YH) (Entered: 10/23/2000)
11/01/2000	73	MOTION to modify scheduling order & motion to compel deadlines by plaintiff & defendants; referred to Magistrate Judge David J. Waxse (LAK) Modified on 12/18/2000 (Entered: 11/01/2000)
11/02/2000	74	MOTION for attorney C. Michael Loftus to appear pro hac vice by plaintiff Western Resources referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) (TRS) (Entered: 11/03/2000)
11/02/2000	75	MOTION for attorney Frank J. Pergolizzi to appear pro hac vice by plaintiff Western Resources referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) (TRS) (Entered: 11/03/2000)
11/02/2000	76	MOTION to extend time until 12/8/00 to respond to motion for partial summary judgment by plaintiff Western Resources referred to Judge Carlos Murguia (TRS) (Entered: 11/03/2000)
11/02/2000		PRO HAC VICE FEE PAID re: motion for attorney Frank J. Pergolizzi to appear pro hac vice by plaintiff Western Resources referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) [75-1], re: motion for attorney C. Michael Loftus to appear pro hac vice by plaintiff Western Resources referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) [74-1] by attorney Frank Pergolizzi and C. Loftus on 11/2/00 in the amount of \$ 20.00 (Receipt # 087741) (TRS) (Entered: 11/03/2000)
11/03/2000	77	MOTION for judgment on the pleadings dismissing plaintiff's restitution claim for lack of subject matter jurisdiction or in the alternative for failure to state claim on which relief may be granted by defendant Union Pacific RR Co, defendant Burlington Northern referred to Judge Carlos Murguia (MM) Modified on 11/29/2000 (Entered: 11/06/2000)
11/03/2000	78	MEMORANDUM/BRIEF by defendant Union Pacific RR Co, defendant Burlington No Santa in support of motion for judgment on the pleadings dismissing plaintiff's restitution claim for lack of subject matter jurisdiction referred to Judge Carlos Murguia [77-1] (MM) (Entered: 11/06/2000)
11/03/2000	79	APPENDIX by defendant Union Pacific RR Co, defendant Burlington No Santa re: motion for judgment on the dismissing plaintiff's restitution claim for lack of matter jurisdiction referred to Judge Carlos Murguia [77-1] (MM) (Entered: 11/06/2000)

11/06/2000	80	ORDER ENTERED: by Magistrate Judge David J. Waxse Discovery deadline set for 3/15/01; dispositive motion deadline 9/18/01; pretrial conference set for 1:30 pm on 8/14/01; parties to submit one proposed final pretrial order to the Magistrate Judge by 8/7/01 (cc: all counsel) (MM) (Entered: 11/06/2000)
11/06/2000	81	ORDER ENTERED: by Judge Carlos Murguia granting motion to extend time until 12/8/00 to respond to motion for partial summary judgment by plaintiff Western Resources [76-1] (cc: all counsel) (YH) (Entered: 11/07/2000)
11/09/2000	82	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion for attorney Frank J. Pergolizzi to appear pro hac vice by plaintiff Western Resources (cc: Attorney Admissions) [75-1] all counsel) (MM) (Entered: 11/13/2000)
11/09/2000	83	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion for attorney C. Michael Loftus to appear pro hac vice by plaintiff Western Resources (cc: Attorney Admissions) [74-1] (cc: all counsel) (MM) (Entered: 11/13/2000)
11/13/2000	84	CERTIFICATE OF SERVICE of response to defendant Union Pacific Railroad's second set of interrogatories by plaintiff Western Resources (MM) (Entered: 11/13/2000)
11/22/2000	85	UNOPPOSED MOTION to extend time until 12/27/00 to respond to deft's motion for judgment on the pleadings, or in the alternative for failure to state a claim on which relief may be granted by plaintiff referred to Judge Carlos Murguia (KM) Modified on 11/29/2000 (Entered: 11/24/2000)
11/24/2000	86	CERTIFICATE OF SERVICE of objections and response to plaintiff's fourth set of requests for production of documents by defendant Union Pacific RR Co (MG) (Entered: 11/27/2000)
11/27/2000	87	ORDER ENTERED: by Judge Carlos Murguia granting motion to extend time until 12/27/00 to respond to deft's motion for judgment on the pleadings, or in the alternative for failure to state a claim on which relief may be granted by plaintiff [85-1] (cc: all counsel) (MG) (Entered: 11/29/2000)
11/30/2000	88	CERTIFICATE OF SERVICE of Second Supplemental Disclosure Pursuant to Rule 26(a)(1) by plaintiff Western Resources (TRS) (Entered: 12/01/2000)
12/08/2000	89	MEMORANDUM in opposition by plaintiff to motion for partial summary judgment by defendant Union Pacific RR Company; referred to Judge Carlos Murguia [71-1] (filed under seal) (MG) (Entered: 12/11/2000)
12/08/2000	90	EXHIBITS by plaintiff in support of memorandum in opposition to motion for summary judgment [89-1] (MG) (Entered: 12/11/2000)
12/12/2000	91	CERTIFICATE OF SERVICE of disclosure of privilege log by defendant Union Pacific RR Company (MG) (Entered: 12/12/2000)
12/20/2000	92	SUPPLEMENT to motion to compel Rule 26(a)(1)(C) Disclosures by defendant Union Pacific RR Company; referred to Magistrate Judge David J. Waxse [51-1] (FILED UNDER SEAL) (MG) (Entered: 12/21/2000)

12/20/2000	93	CERTIFICATE OF SERVICE to plaintiff of first set of interrogatories by defendant Burlington Northern and Santa Fe Railway Company (MG) (Entered: 12/21/2000)
12/21/2000	94	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion to compel Rule 26(a)(1)(C) Disclosures by defendants [51-1] (cc: all counsel) (MG) (Entered: 12/21/2000)
12/22/2000	95	MOTION to extend time until 01/12/01 in which to file a reply to plaintiff's brief in opppsition to defendant's motion for partial summary judgment by defendants; referred to Magistrate Judge David J. Waxse (MG) Modified on 01/04/2001 (Entered: 12/26/2000)
12/27/2000	96	MEMORANDUM/BRIEF in opposition by plaintiff Western Resources to motion for judgment on the pleadings dismissing plaintiff's restitution claim for lack of subject matter jurisdiction or in the alternative for failure to state claim on which relief may be granted by defendant Union Pacific RR Co, defendant Burlington Northern referred to Judge Carlos Murguia [77-1] (MM) (Entered: 12/28/2000)
01/03/2001	97	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion to extend time until 01/12/01 in which to file a reply to plaintiff's brief in opppsition to defendant's motion for partial summary judgment by defendants [95-1] (cc: all counsel) (MG) (Entered: 01/04/2001)
01/08/2001	98	MOTION to extend time until 02/15/01 to file reply to plaintiff's memorandum in opposition to defendant's motion for judgment on the pleadings by defendants; referred to Judge Carlos Murguia (MG) (Entered: 01/09/2001)
01/08/2001	99	CERTIFICATE OF SERVICE of joint second set of request for production of documents by defendants (MG) (Entered: 01/09/2001)
01/10/2001	100	ORDER ENTERED: by Judge Carlos Murguia granting motion to extend time until 02/15/01 to file reply to plaintiff's memorandum in opposition to defendant's motion for judgment on the pleadings by defendants [98-1] (cc: all counsel) (MG) (Entered: 01/10/2001)
01/12/2001	101	CERTIFICATE OF SERVICE of third supplemental rule 26(a)(1)(C) disclosure by plaintiff (MG) (Entered: 01/12/2001)
01/12/2001	102	REPLY by defendant Union Pacific RR Company to plaintiffs response to motion for partial summary judgment by defendant Union Pacific RR Company; referred to Judge Carlos Murguia [71-1] (FILED UNDER SEAL) (MG) (Entered: 01/12/2001)
01/17/2001	103	JOINT MOTION for order amending scheduling orders regarding trial date and certain discovery deadlines by plaintiff and defendants; referred to Magistrate Judge David J. Waxse (MG) (Entered: 01/18/2001)
01/19/2001	104	UNOPPOSED MOTION to extend time until 01/30/01 to respond to defendant Burlington Northern and Santa Fe Railway Company's first interrogatories by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 01/22/2001)

01/22/2001	105	CERTIFICATE OF SERVICE of fifth set of request for production of documents by plaintiff (MG) (Entered: 01/22/2001)
01/25/2001	106	MOTION for attorney Anthony C. Epstein to appear pro hac vice by defendant Burlington Northern and Santa Fe Railway Company; referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) (MG) (Entered: 01/25/2001)
01/30/2001	107	CERTIFICATE OF SERVICE of response to defendant's Burlington Northern and Santa Fe Railway Company's first set of interrogatories by plaintiff (MG) (Entered: 01/30/2001)
01/31/2001	108	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time until 01/30/01 to respond to defendant Burlington Northern and Santa Fe Railway first interrogatories [104-1] (cc: all counsel) (MG) (Entered: 01/31/2001)
02/02/2001		PRO HAC VICE FEE PAID re: motion for attorney Anthony C. Epstein to appear pro hac vice by defendant Burlington Northern and Santa Fe Railway Company; referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) [106-1] by attorney Anthony C. Epstein on 02/01/01 in the amount of \$10.00 (Receipt # 088588)(fee received 02/01/01, receipt written on 02/02/01) (MG) (Entered: 02/02/2001)
02/06/2001	109	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant Burlington Northern and Santa Fe Railway Company's motion for attorney Anthony C. Epstein to appear pro hac vice (cc: Attorney Admissions) [106-1] (cc: all counsel) (MG) (Entered: 02/06/2001)
02/08/2001	110	MOTION to compel regarding defendant's responses to request number 15 of plaintiff's first set of document production requests by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 02/09/2001)
02/08/2001	111	MEMORANDUM in support of motion to compel regarding defendant's responses to request number 15 of plaintiff's first set of document production requests by plaintiff; referred to Magistrate Judge David J. Waxse [110-1] (FILED UNDER SEAL) (MG) (Entered: 02/09/2001)
02/09/2001	112	CERTIFICATE OF SERVICE of joint third set of requests for production of documents by defendants (MG) (Entered: 02/12/2001)
02/12/2001	113	MOTION for attorney Matthew L. Stennes to appear pro hac vice by defendant Burlington Northern and Santa Fe Railway Company; referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) (MG) (Entered: 02/13/2001)
02/12/2001		PRO HAC VICE FEE PAID re: motion for attorney Matthew L. Stennes to appear pro hac vice by defendant Burlington Northern and Santa Fe Railway Company by attorney Douglas R. Dalglish in the amount of \$10.00 (Receipt # 088682) (MG) (Entered: 02/13/2001)
02/12/2001	114	MOTION for attorney Timothy J. Racicot to appear pro hac vice by defendant Burlington Northern and Santa Fe Railway Company; referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) (MG) (Entered: 02/13/2001)
02/12/2001		

		PRO HAC VICE FEE PAID re: motion for attorney Timothy J. Racicot to appear pro hac vice by defendant Burlington Northern and Santa Fe Railway Company by attorney Douglas R. Dalglish on 02/12/01 in the amount of \$10.00 (Receipt # 088681) (MG) (Entered: 02/13/2001)
02/12/2001	115	MOTION for attorney Julie M. Jackson to appear pro hac vice by defendant Burlington Northern and Santa Fe Railway Company; referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) (MG) (Entered: 02/13/2001)
02/12/2001		PRO HAC VICE FEE PAID re: motion for attorney Julie M. Jackson to appear pro hac vice by defendant Burlington Northern and Santa Fe Railway Company by attorney Douglas R. Dalglish on 02/12/01 in the amount of \$10.00 (Receipt # 088680) (MG) (Entered: 02/13/2001)
02/13/2001	116	CERTIFICATE OF SERVICE of response to defendant's joint second set of requests for production of documents by plaintiff (MG) (Entered: 02/14/2001)
02/15/2001	117	REPLY by defendant Union Pacific RR Company to plaintiff's response to motion for judgment on the pleadings dismissing plaintiff's restitution claim for lack of subject matter jurisdiction in the alternative for failure to state claim on which relief may be granted; referred to Judge Carlos Murguia [77-1] (FILED UNDER SEAL) (MG) Modified on 02/16/2001 (Entered: 02/16/2001)
02/16/2001	118	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant Burlington Northern and Santa Fe Railway Company's motion for attorney Julie M. Jackson to appear pro hac vice [115-1] (cc: Attorney Admissions) (cc: all counsel) (MG) (Entered: 02/16/2001)
02/16/2001	119	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant Burlington Northern and Santa Fe Railway Company's motion for attorney Timothy J. Racicot to appear pro hac vice [114-1] (cc: Attorney Admissions) (cc: all counsel) (MG) (Entered: 02/16/2001)
02/16/2001	120	CERTIFICATE OF SERVICE of disclosure of privilege log by plaintiff (MG) (Entered: 02/16/2001)
02/16/2001	121	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant Burlington Northern and Santa Fe Railway Company's motion for attorney Matthew L. Stennes to appear pro hac vice [113-1] (cc: Attorney Admissions) (cc: all counsel) (MG) (Entered: 02/16/2001)
02/23/2001	122	MOTION with memorandum in support to extend time in which to respond to plaintiff's motion to compel discovery until 03/02/01 by defendants; referred to Magistrate Judge David J. Waxse (MG) (Entered: 02/26/2001)
02/26/2001	123	SCHEDULING ORDER ENTERED by Magistrate Judge David J. Waxse granting parties joint motion for order amending scheduling orders regarding trial date and certain discovery deadlines [103-1] Discovery deadline 12/21/01; dispositive motion deadline 2/1/02; proposed pretrial order du 01/11/02; pretrial conference set for 9:00 a.m. on 1/15/02; jury trial set for 5/7/02 (cc: all counsel) (MG) (Entered: 02/27/2001)
02/26/2001	124	

		CERTIFICATE OF SERVICE of objections and response to plaintiff's fifth set of request for production of documents by defendant Union Pacific RR Co (MG) (Entered: 02/27/2001)
03/01/2001	125	MOTION for order to unseal defendant's reply memorandum in support of defendant's motion for judgment of the pleadings dismissing plaintiff's restitution claim [117-1] by defendant Union Pacific RR Company; referred to Judge Carlos Murguia (MG) (Entered: 03/01/2001)
03/02/2001	126	MEMORANDUM in opposition by defendants to plaintiff's motion to compel regarding defendant's responses to request number 15 of plaintiff's first set of document production requests; referred to Magistrate Judge David J. Waxse [110-1] (FILED UNDER SEAL) (MG) Modified on 03/05/2001 (Entered: 03/05/2001)
03/05/2001	127	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant's motion to extend time in which to respond to plaintiff's motion to compel discovery until 03/02/01 [122-1] (cc: all counsel) (MG) (Entered: 03/05/2001)
03/06/2001	128	CERTIFICATE OF SERVICE of amended response of plaintiff to defendant Union Pacific Railroad Company's Interrogatory Nos. 5, 7, 9, 13-15 by plaintiff (MG) (Entered: 03/06/2001)
03/08/2001	129	MOTION to intervene for the purpose of obtaining a protective order from discovery of their transportation agreements with defendants; referred to Magistrate Judge David J. Waxse by movant (MG) Modified on 08/17/2001 (Entered: 03/09/2001)
03/09/2001	130	MOTION to extend time in which to respond to defendant's joint third set of requests for production of documents until 03/22/01 by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 03/12/2001)
03/14/2001	131	CERTIFICATE OF SERVICE to defendants of responses and objections to defendant Union Pacific's notice of deposition duces tecum regarding JEC Trains by plaintiff (MG) (Entered: 03/14/2001)
03/14/2001	132	CERTIFICATE of completion of discovery by defendant Burlington No Santa (CK) (Entered: 03/15/2001)
03/15/2001	133	CERTIFICATE OF SERVICE of responses and objections to defendant Union Pacific's notice of deposition duces tecum regarding coal conservation measures by plaintiff (MG) (Entered: 03/15/2001)
03/16/2001	134	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time in which to respond to defendant's joint third set of requests for production of documents until 03/22/01 [130-1] (cc: all counsel) (MG) (Entered: 03/16/2001)
03/16/2001	135	MOTION by plaintiff to extend time until 03/30/01 in which to file a response to UtiliCorp and Kansas City Power & Light's motion to intervene; referred to Magistrate Judge David J. Waxse (MG) (Entered: 03/19/2001)
03/16/2001	136	

		MOTION to extend time in which to reply to defendant's opposition to plaintiff's motion to compel until 03/30/01 by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 03/19/2001)
03/16/2001	137	NOTICE of filing a substitute (original) affidavit of Philip Rogers to motion to intervene by movants (MG) (Entered: 03/19/2001)
03/21/2001	138	MOTION to compel responses to interrogatories by plaintiff; referred to Magistrate Judge David J. Waxse (FILED UNDER SEAL) (MG) (Entered: 03/21/2001)
03/21/2001	139	MEMORANDUM in support of motion to compel responses to interrogatories by plaintiff; referred to Magistrate Judge David J. Waxse [138-1] (FILED UNDER SEAL) (MG) (Entered: 03/21/2001)
03/22/2001	140	ORDER ENTERED: by Judge Carlos Murguia granting defendant Union Pacific's motion for order to unseal defendant's reply memorandum in support of defendant's motion for judgment of the pleadings dismissing plaintiff's restitution claim [117-1] [125-1]; document [117-1] unsealed as directed by the court (cc: all counsel) (MG) (Entered: 03/23/2001)
03/27/2001	141	CERTIFICATE OF SERVICE of responses to defendant's joint third set of requests for production of documents by plaintiff (MG) (Entered: 03/27/2001)
03/28/2001	142	REQUEST by plaintiff to the Union Pacific Railroad Company and the Burlington Northern & Santa Fe Railway Company for entry upon land for inspection. (FILED UNDER SEAL) (MG) (Entered: 03/28/2001)
03/30/2001	143	MEMORANDUM in opposition by plaintiff Western Resources to motion to intervene for the purpose of obtaining a protective order from discovery of their transportation agreements with defendants; referred to Magistrate Judge David J. Waxse by movant [129-1] (TRS) Modified on 08/17/2001 (Entered: 04/02/2001)
03/30/2001	144	REPLY by plaintiff to defendant's response to plaintiff's motion to compel regarding defendant's responses to request number 15 of plaintiff's first set of document production requests; referred to Magistrate Judge David J. Waxse [110-1] (MG) (Entered: 04/18/2001)
04/02/2001	145	MOTION with memorandum in support to extend time in which to respond to plaintiff's motion to compel responses to Western's interrogatories until 04/17/01 by defendants; referred to Magistrate Judge David J. Waxse (MG) (Entered: 04/03/2001)
04/02/2001	146	CERTIFICATE OF SERVICE of supplemental responses to plaintiff's interrogatory nos. 6 and 23 by defendant Union Pacific RR Company (MG) (Entered: 04/03/2001)
04/02/2001	147	CERTIFICATE OF SERVICE of opposition to motion to intervene and motion for protective order of UtiliCorp United and Kansas City Power and Light Company by plaintiff (MG) (Entered: 04/03/2001)
04/04/2001	148	

		MOTION to compel responses to first set of document production requests by plaintiff; referred to Magistrate Judge David J. Waxse (FILED UNDER SEAL) (MG) (Entered: 04/05/2001)
04/04/2001	149	MEMORANDUM in support of motion to compel responses to first set of document production requests by plaintiff; referred to Magistrate Judge David J. Waxse [148-1] (FILED UNDER SEAL) (MG) (Entered: 04/05/2001)
04/04/2001	150	MOTION to compel responses to first and fifth sets of document production requests by plaintiff; referred to Magistrate Judge David J. Waxse (FILED UNDER SEAL) (MG) (Entered: 04/05/2001)
04/04/2001	151	MEMORANDUM in support of motion to compel responses to first and fifth sets of document production requests by plaintiff; referred to Magistrate Judge David Waxse [150-1] (FILED UNDER SEAL) (MG) (Entered: 04/05/2001)
04/04/2001	152	MOTION to compel plaintiff to respond to second set of interrogatories by defendant Union Pacific RR Company; referred to Magistrate Judge David J. Waxse (FILED UNDER SEAL) (MG) (Entered: 04/05/2001)
04/04/2001	153	MEMORANDUM in support of motion to compel plaintiff to respond to second set of interrogatories by defendant Union Pacific RR Company; referred to Magistrate Judge David J. Waxse [152-1] (FILED UNDER SEAL) (MG) (Entered: 04/05/2001)
04/04/2001	154	MOTION to compel the production of documents by defendant Union Pacific RR Company; referred to Magistrate Judge David J. Waxse (MG) Modified on 05/07/2001 (Entered: 04/05/2001)
04/04/2001	155	MEMORANDUM in support of motion to compel the production of documents with exhibits by Union Pacific RR Company; referred to Magistrate Judge J. Waxse [154-1] (FILED UNDER SEAL) (MG) (Entered: 04/05/2001)
04/09/2001	156	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time until 03/30/01 in which to file a response to UtiliCorp and Kansas City Power & Light's motion to intervene [135-1] (cc: all counsel) (MG) (Entered: 04/10/2001)
04/09/2001	157	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time in which to reply to defendant's opposition to plaintiff's motion to compel until 03/30/01. [136-1] (cc: all counsel) (MG) Modified on 04/10/2001 (Entered: 04/10/2001)
04/09/2001	158	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant's motion to extend time in which to respond to plaintiff's motion to compel responses to Western's interrogatories until 04/17/01. [145-1] (cc: all counsel) (MG) (Entered: 04/10/2001)
04/11/2001	159	CERTIFICATE OF SERVICE of supplemental responses to defendant Burlington Northern's interrogatories No. 2, 4, 5, and 6 by plaintiff. (MG) (Entered: 04/12/2001)
04/13/2001	160	REPLY by movants to plaintiff's response to movant's motion to intervene for the purpose of obtaining a protective order from discovery of their

		transportation agreements with defendants; referred Magistrate Judge David J. Waxse [129-1](MG) Modified on 08/17/2001 (Entered: 04/13/2001)
04/17/2001		RESPONSE by defendant Union Pacific RR Company to plaintiff's motion to compel responses to interrogatories; referred to Magistrate Judge David J. Waxse [138-1] (FILED UNDER SEAL) (MG) Modified on 04/18/2001 (Entered: 04/18/2001)
04/17/2001	162	MOTION to extend time in which to respond to plaintiff's motions to compel discovery filed 04/04/01 until 05/07/01 by defendants; referred to Magistrate Judge David J. Waxse (MG) (Entered: 04/18/2001)
04/17/2001	163	MOTION to extend time in which to file motions concerning discovery matters by defendants; referred to Magistrate Judge David J. Waxse (MG) (Entered: 04/18/2001)
04/17/2001	164	RESPONSE by defendant Burlington Northern & Santa Fe Railway to plaintiff's motion to compel responses to interrogatories by plaintiff; referred to Magistrate Judge David J. Waxse [138-1] (MG) (Entered: 04/18/2001)
04/17/2001	165	MOTION to extend time to respond to defendant's motion to compel regarding production of documents and Union Pacific's motion to compel regarding second set of interrogatories until 05/07/01 by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 04/18/2001)
04/18/2001	166	MOTION for order modifying Stipulated Protective Order [27-1] by defendant Union Pacific RR Company; referred to Magistrate Judge David J. Waxse (MG) (Entered: 04/19/2001)
04/19/2001	167	CERTIFICATE OF SERVICE of revised privilege log by defendant Union Pacific RR Company (MG) (Entered: 04/19/2001)
04/20/2001	168	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant's motion to extend time in which to respond to plaintiff's motions to compel discovery filed 04/04/01 until 05/07/01. [162-1] (cc: all counsel) (MG) (Entered: 04/20/2001)
04/20/2001	169	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant's motion to extend time in which to file motions concerning discovery matters. Defendant's shall have until 05/01/01 to file a motion to compel directed to plaintiff's privilege log and until 04/25/01 to file a motion to compel directed to plaintiff's responses to request numbers 24, 51, 52, 54, and 55 of the Railroads' first joint set of requests for production. [163-1] (cc: all counsel) (MG) (Entered: 04/20/2001)
04/20/2001	170	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time to respond to defendant's motion to compel regarding production of documents and Union motion to compel regarding second set of interrogatories until 05/07/01. [165-1] (cc: all counsel) (MG) (Entered: 04/20/2001)
04/20/2001	171	CERTIFICATE OF SERVICE of amended supplemental responses to plaintiff's interrogatory numbers 6 and 23 and supplemental responses to

		plaintiff's interrogatory numbers 20 and 21 by defendant Union Pacific RR Company (MG) (Entered: 04/20/2001)
04/20/2001	172	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant Union Pacific RR Company's motion for order modifying Stipulated Protective Order [27-1]. It is hereby ordered that James V. Dolan shall be substituted for Beverly S. Greer in paragraph 14(b) of the Stipulated Protective Order [166-1]. (cc: all counsel) (MG) (Entered: 04/23/2001)
04/24/2001	173	RESPONSE by defendant Union Pacific RR Company to plaintiff's request for entry upon land for inspection. [142-1] (MG) (Entered: 04/25/2001)
04/26/2001	174	MOTION to extend time in which to file a reply to defendant's responses to plaintiff's motion to compel responses to plaintiff's interrogatories until 05/16/01 by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 04/27/2001)
04/26/2001	175	RESPONSE by defendant Burlington Northern and Santa Fe Railway Company regarding plaintiff's request for entry upon land for inspection [142-1] (MG) (Entered: 04/27/2001)
04/27/2001	176	CERTIFICATE OF SERVICE of amended privilege log by plaintiff (MG) (Entered: 04/27/2001)
05/01/2001	177	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time in which to file a reply to defendant's responses to plaintiff's motion to compel responses to plaintiff's interrogatories until 05/16/01. [174-1] (cc: all counsel) (MG) (Entered: 05/01/2001)
05/01/2001	178	MOTION to extend time in which to file discovery motions directed to plaintiff's amended privilege log until 05/14/01 by defendants; referred to Magistrate Judge David J. Waxse (MG) (Entered: 05/01/2001)
05/02/2001	179	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant's motion to extend time in which to file discovery motions directed to plaintiff's amended privilege log until 05/14/01. [178-1] (cc: all counsel) (MG) (Entered: 05/02/2001)
05/03/2001	180	CERTIFICATE OF SERVICE of third set of interrogatories to plaintiff Western Resources and defendants' joint set of request for production of documents by defendant Union Pacific RR Company (MG) (Entered: 05/03/2001)
05/03/2001	181	RETURN OF SERVICE of subpoena by defendant Burlington Northern and Santa Fe executed upon Wolf Creek Nuclear Operating Corporation on 05/01/01 by personal service (MG) (Entered: 05/03/2001)
05/03/2001	182	RETURN OF SERVICE of subpoena by defendant Burlington Northern and Santa Fe executed upon Black & Veatch LLP on 05/01/01 by personal service (MG) (Entered: 05/03/2001)
05/07/2001	183	MEMORANDUM in opposition by plaintiff to motion to compel the production of documents by defendant Union Pacific RR Company; referred to

		Magistrate Judge David J. Waxse [154-1](FILED UNDER SEAL) (MG) Modified on 05/07/2001 (Entered: 05/07/2001)
05/07/2001	184	RESPONSE by plaintiff to motion to compel plaintiff to respond to second set of interrogatories by defendant Union Pacific RR Company; referred to Magistrate Judge David J. Waxse [152-1] (FILED UNDER SEAL) (MG) (Entered: 05/07/2001)
05/07/2001	185	MOTION to extend time until 06/21/01 in which to respond to plaintiff's motion to compel responses to its first set of document production requests by defendant Burlington Northern and Santa Fe; referred to Magistrate Judge David J. Waxse (MG) (Entered: 05/08/2001)
05/07/2001	186	RESPONSE by defendant Union Pacific RR Company to plaintiff's motion to compel responses to first and fifth sets of document production requests; referred to Magistrate Judge David J. Waxse [150-1] (FILED UNDER SEAL) (MG) (Entered: 05/08/2001)
05/09/2001	187	JOINT STIPULATION regarding expert discovery by plaintiff and defendants (MG) (Entered: 05/09/2001)
05/14/2001	188	MOTION to extend time to file motions concerning plaintiff's amended privilege log by defendants; referred to Magistrate Judge David J. Waxse (CK) (Entered: 05/15/2001)
05/16/2001	189	REPLY by plaintiff to defendant's responses to plaintiff's motion to compel responses to interrogatories; referred to Magistrate Judge David J. Waxse [138-1] (FILED UNDER SEAL) (MG) (Entered: 05/16/2001)
05/18/2001	190	MOTION for order of approval of parties joint stipulation regarding extensions of time by plaintiff and defendants; referred to Magistrate Judge David J. Waxse (MG) (Entered: 05/18/2001)
05/21/2001	191	REPLY by defendant Union Pacific RR Company to plaintiff's response to motion to compel plaintiff to respond to second set of interrogatories by defendant Union Pacific RR Company; referred to Magistrate Judge David J. Waxse [152-1] (FILED UNDER SEAL) (MG) (Entered: 05/21/2001)
05/25/2001	192	NOTICE by plaintiff of taking videotaped deposition of David Quilici on 06/06/01 at 9:00 a.m. (MG) (Entered: 05/29/2001)
05/25/2001	210	REPLY by defendants to response to motion to compel the production of documents; referred to Magistrate Judge David J. Waxse (DOCUMENTS FILED UNDER SEAL) (CK) (Entered: 06/29/2001)
05/30/2001	193	MOTION to extend time to 06/21/01 in which to respond to defendant's fourth request for production of documents, Union Pacific's third set of interrogatories and Burlington Northern's second set of interrogatories by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 05/31/2001)
06/01/2001	194	RESPONSES AND OBJECTIONS by plaintiff to defendant Burlington Northern's notice of deposition duces tecum regarding coal inventory. (MG) (Entered: 06/04/2001)
06/06/2001	195	

		CERTIFICATE OF SERVICE of response to notice of deposition by defendant Union Pacific RR Company (MG) (Entered: 06/06/2001)
06/07/2001	196	MOTION to compel plaintiff to produce documents described in its privilege log by defendant Union Pacific RR Company; referred to Magistrate Judge David J. Waxse (FILED UNDER SEAL) (MG) Modified on 06/07/2001 (Entered: 06/07/2001)
06/07/2001	197	MEMORANDUM in support of motion to compel plaintiff to produce documents in its privilege log by defendant Union Pacific RR Company; referred to Magistrate Judge David J. Waxse [196-1] (FILED UNDER SEAL) (MG) (Entered: 06/07/2001)
06/07/2001	198	APPENDIX by defendant Union Pacific RR Company to their memorandum in support [197-1] of their motion to compel plaintiff to produce documents described in its privilege log [196-1]; referred to Magistrate Judge David J. Waxse (FILED UNDER SEAL) (MG) (Entered: 06/07/2001)
06/12/2001	199	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant Burlington Northern and Santa Fe Railway's motion to extend time until 06/21/01 in which to respond to plaintiff's motion to compel responses to its first set of document production requests. [185-1] (cc: all counsel) (MG) (Entered: 06/12/2001)
06/12/2001	200	ORDER ENTERED: by Magistrate Judge David J. Waxse granting parties joint stipulation regarding expert discovery. [187-1] (cc: all counsel) (MG) (Entered: 06/12/2001)
06/12/2001	201	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant's motion to extend time to file motions concerning plaintiff's amended privilege log. [188-1] Defendants shall have until 06/07/01 in which to file a motion to compel regarding plaintiff's amended privilege log. (cc: all counsel) (MG) (Entered: 06/12/2001)
06/12/2001	202	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion for order of approval of parties joint stipulation regarding extensions of time. [190-1] (cc: all counsel) (MG) (Entered: 06/12/2001)
06/12/2001	203	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time to 06/21/01 in which to respond to defendant's fourth request for production of documents, Union Pacific's third set of interrogatories and Burlington Northern's second set of interrogatories. [193-1] (cc: all counsel) (MG) (Entered: 06/12/2001)
06/12/2001	204	REPLY by plaintiff to defendant Union Pacific's response to plaintiff's motion to compel responses to first and fifth sets of document production requests; referred to Magistrate Judge David J. Waxse [150-1] (FILED UNDER SEAL) (MG) (Entered: 06/12/2001)
06/14/2001	205	MOTION to extend time in which to respond to defendant's motion to compel plaintiffs to produce documents described in its privilege log [196-1] until 07/05/01 by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 06/15/2001)

06/18/2001	206	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time in which to respond to defendant's motion to compel plaintiffs to produce documents described in its privilege log [196-1] until 07/05/01. [205-1] (cc: all counsel) (MG) Modified on 06/19/2001 (Entered: 06/19/2001)
06/21/2001	207	MOTION to extend time in which to respond to plaintiff's motion to compel responses to its first set of document production requests until 07/05/01 by defendant Burlington Northern and Santa Fe Railway; referred to Magistrate Judge David J. Waxse (MG) (Entered: 06/22/2001)
06/22/2001	208	CERTIFICATE OF SERVICE of second supplemental response to defendant Burlington Northern's interrogatory no. 2, supplemental response to defendant Union Pacific's interrogatory nos. 3 and 5, responses and objections to defendant Burlington Northern's second set of interrogatories, responses and objections to defendant Union Pacific's third set of interrogatories, and responses and objections to defendant's joint fourth set of requests for production of documents by plaintiff. (MG) (Entered: 06/25/2001)
06/27/2001	209	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant Burlington Northern's motion to extend time in which to respond to plaintiff's motion to compel responses to its first set of document production requests until 07/05/01. [207-1] (cc: all counsel) (MG) (Entered: 06/27/2001)
06/29/2001	211	MOTION to extend time in which to respond to defendant's motion to compel plaintiff to produce documents described in its privilege log until 07/12/01 by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 06/29/2001)
07/05/2001	212	MOTION to extend time in which to respond to plaintiff's motion to compel responses to its first set of document production requests until 07/26/01 by defendant Burlington Northern and Santa Fe; referred to Magistrate Judge David J. Waxse (MG) (Entered: 07/06/2001)
07/10/2001	213	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time in which to respond to defendant's motion to compel plaintiff to produce documents described its privilege log until 07/12/01. [211-1] (cc: all counsel) (MG) (Entered: 07/11/2001)
07/10/2001	214	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant Burlington Northern's motion to extend time in which to respond to plaintiff's motion to compel responses to its first set of document production requests until 07/26/01. [212-1] (cc: all counsel) (MG) (Entered: 07/11/2001)
07/12/2001	215	MINUTE ORDER ENTERED by Clerk referring to Magistrate Judge Karen M. Humphreys movant's motion to intervene for the purpose of obtaining a protective order from discovery of their transportation agreements with defendants. [129-1] (cc: all counsel) (MG) Modified on 08/17/2001 (Entered: 07/12/2001)
07/12/2001	216	MEMORANDUM in opposition by plaintiff to defendant Union Pacific RR Company's motion to compel plaintiff to produce documents described in its

		privilege log; referred to Magistrate Judge David J. Waxse. [196-1] (FILED UNDER SEAL) (MG) Modified on 07/12/2001 (Entered: 07/12/2001)
07/12/2001	217	AFFIDAVITS of Thomas D. Crowley, William Jack Reid, Ronald R. Teeter, Tom L. Green, Nicholas J. DiMichael, Robert H. Fackler, and Thomas W. Wilcox regarding plaintiff's memorandum in opposition to defendant's motion to compel plaintiff to produce documents described in its privilege log. [216-1] (FILED UNDER SEAL) (MG) Modified on 07/12/2001 (Entered: 07/12/2001)
07/12/2001	218	CERTIFICATE OF SERVICE of disclosure of second amended privilege log by plaintiff. (MG) (Entered: 07/12/2001)
07/18/2001	219	CERTIFICATE OF SERVICE of request for entry upon land by defendant Union Pacific RR Company. (MG) (Entered: 07/19/2001)
07/24/2001	220	MOTION to extend time until 08/06/01 in which to reply to plaintiff's response to defendant's motion to compel plaintiff to produce documents described in its privilege log; referred to Magistrate Judge David J. Waxse (MG) (Entered: 07/24/2001)
07/26/2001	221	UNOPPOSED MOTION to extend time until 08/09/01 in which to file its response to plaintiff's motion to compel by defendant Burlington Northern and Santa Fe Railway; referred to Magistrate Judge David J. Waxse (MG) (Entered: 07/27/2001)
07/30/2001	222	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant Burlington Northern's motion to extend time until 08/09/01 in which to file its response to plaintiff's motion to compel. [221-1] (cc: all counsel) (MG) (Entered: 07/31/2001)
08/01/2001	223	MOTION to compel plaintiff to produce certain affidavits submitted in camera as exhibits to its memorandum in opposition to defendant's motion to compel plaintiff to produce documents described in its privilege log by defendants; referred to Magistrate Judge David J. Waxse , or in the alternative to strike these affidavits by defendants; referred to Magistrate Judge David J. Waxse (MG) (Entered: 08/02/2001)
08/01/2001	224	MEMORANDUM in support of defendant's motion to compel plaintiff to produce certain affidavits submitted in camera as exhibits to its memorandum in opposition to defendant's motion to compel plaintiff to produce documents described its privilege log; referred to Magistrate Judge David J. Waxse [223-1], or in the alternative defendant's motion to strike these affidavits; referred to Magistrate Judge J. Waxse. [223-2] (MG) (Entered: 08/02/2001)
08/02/2001	225	MINUTE ORDER ENTERED by Clerk vacating the court's minute order [215-1] referring movant's motion to intervene for the purposes of obtaining a protective order to Magistrate Judge Karen M. Humphreys. (cc: all counsel) (MG) (Entered: 08/03/2001)
08/03/2001	226	JOINT STIPULATION regarding affidavits [217-1] filed under seal by plaintiff. (MG) (Entered: 08/06/2001)
08/06/2001	227	SECOND UNOPPOSED MOTION to extend time until 8/20/01 to file a reply in support of motion to compel pltf. to produce documents described in it's

		privilege log by defendant referred to Magistrate Judge David J. Waxse (KM) (Entered: 08/07/2001)
08/06/2001	228	CERTIFICATE OF SERVICE of response to request for entry upon land by plaintiff (KM) (Entered: 08/07/2001)
08/07/2001	229	WITHDRAWAL by defendants of motions to compel plaintiff to produce certain affidavits submitted in camera as exhibits to its memorandum in opposition to defendant's motion to compel plaintiff to produce documents described in its privilege log by defendants; referred to Magistrate Judge David J. Waxse [223-1] and/or in the alternative to strike these affidavits by defendants; referred to Magistrate Judge David J. Waxse. [223-2] (MG) (Entered: 08/08/2001)
08/09/2001	230	RESPONSE by plaintiff regarding defendant's request for entry upon land. [219-1] (MG) (Entered: 08/09/2001)
08/09/2001	231	RESPONSE by defendant Burlington Northern and Santa Fe to plaintiff's motion to compel responses to first set of document production requests; referred to Magistrate Judge David Waxse. [148-1] (FILED UNDER SEAL) (MG) (Entered: 08/10/2001)
08/17/2001	232	MOTION to extend time until 08/24/01 in which to file a motion to quash and for a protective order regarding the deposition of Lisa Stites by movant Lisa Stites; referred to Magistrate Judge David J. Waxse (MG) (Entered: 08/20/2001)
08/20/2001	233	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant's first [220-1] and second [227-1] motions to extend time until 8/20/01 to file a reply in support of motion to compel plaintiff to produce documents described in it's privilege log. (cc: all counsel) (MG) (Entered: 08/20/2001)
08/20/2001	234	MOTION to extend time until 09/07/01 in which to reply to plaintiff's motion to compel responses to its first document production requests by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 08/20/2001)
08/20/2001	235	REPLY by defendant Union Pacific RR Company to plaintiff's response to defendant Union Pacific's motion to compel plaintiff to produce documents described in its privilege log; referred to Magistrate Judge David J. Waxse. [196-1] (FILED UNDER SEAL) (MG) (Entered: 08/21/2001)
08/21/2001	236	ORDER ENTERED: by Magistrate Judge David J. Waxse granting movant Lisa Stites' motion to extend time until 08/24/01 in which to file a motion to quash and for a protective order regarding the deposition of Lisa Stites. [232-1] (cc: all counsel) (MG) (Entered: 08/21/2001)
08/30/2001	237	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time until 09/07/01 in which to reply to plaintiff's motion to compel responses to its first production requests. [234-1] (cc: all counsel) (MG) (Entered: 08/30/2001)
08/30/2001	238	CERTIFICATE OF SERVICE of supplemental privilege log by defendant Union Pacific RR Company. (MG) (Entered: 08/30/2001)

08/31/2001	239	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse granting plaintiff's motion to compel regarding defendant's responses to request number 15 of plaintiff's first set of document production requests. [110-1] Plaintiff's motion is granted to the extent that defendants shall produce all documents responsive to request 15 in effect on or after 01/93, regardless of defendants ability to obtain consent for the production from the other party to the contract at issue. 8 pages (cc: all counsel) (MG) (Entered: 08/31/2001)
09/06/2001	240	MOTION to extend time until 09/21/01 in which to reply in support to its motion to compel by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 09/07/2001)
09/12/2001	241	SUPPLEMENT by plaintiff to its 04/04/01 motion to compel responses to first and fifth sets of document production requests; referred to Magistrate Judge David J. Waxse [150-1] (FILED UNDER SEAL) (MG) (Entered: 09/12/2001)
09/12/2001	242	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse granting, for the limited purpose of filing a motion for protective order, movants UtiliCorp United and Kansas City Power & Light Company's motion to intervene for the purpose of obtaining a protective order from discovery of their transportation agreements with defendants. [129-1] Clerk is directed to detach and file as of this date, movant's motion for protective order which is attached to their motion to intervene. It is further ordered, movant's motion for a protective order is denied. 11 pages (cc: all counsel) (MG) (Entered: 09/13/2001)
09/12/2001	243	MOTION with memorandum in support for protective order protecting from discovery their agreements in effect on or after 01/01/93 with defendants for the shipment of coal by movants UtiliCorp United Inc and Kansas City Power & Light; referred to Magistrate Judge David J. Waxse (MG) (Entered: 09/13/2001)
09/12/2001	242	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse denying movants UtiliCorp United and Kansas City Power & Light's motion for protective order protecting from discovery their agreements in effect on or after 01/01/93 with defendants for the shipment of coal. [243-1] 11 pages (cc: all counsel) (MG) (Entered: 09/13/2001)
09/12/2001	244	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time until 09/21/01 in which to reply in support to its motion to compel. [240-1] (cc: all counsel) (MG) (Entered: 09/13/2001)
09/19/2001	245	MOTION to extend time until 10/12/01 in which to reply in support of its motion to compel responses to its first set of document production requests by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 09/19/2001)
09/24/2001	246	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time until 10/12/01 in which to reply in support of its motion to compel responses to its first set of document production requests. [245-1] (cc: all counsel) (MG) (Entered: 09/24/2001)
09/25/2001	247	

		UNOPPOSED MOTION to extend time until 10/05/01 in which to respond to plaintiff's supplement to its motion to compel dated 04/04/01 [150-1] by defendant Union Pacific RR Company; referred to Magistrate Judge David J. Waxse (MG) (Entered: 09/26/2001)
09/25/2001	248	JOINT MOTION to modify the scheduling order by plaintiff and defendants; referred to Magistrate Judge David J. Waxse (MG) (Entered: 09/26/2001)
09/27/2001	249	CERTIFICATE OF SERVICE of rule 26(b)(5) supplemental privilege log by plaintiff. (MG) (Entered: 09/28/2001)
10/05/2001	256	MOTION for leave to file response to plaintiff's supplement by defendant Union Pacific RR Company; referred to Magistrate Judge David J. Waxse. (FILED UNDER SEAL) (MM) Modified on 11/26/2001 (Entered: 10/22/2001)
10/09/2001	250	ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion to extend time until 10/05/01 in which to respond to plaintiff's supplement to its motion to compel dated 04/04/01 [150-1] by defendant Union Pacific RR Company [247-1] (cc: all counsel) (MM) (Entered: 10/09/2001)
10/09/2001	251	THIRD AMENDED SCHEDULING ORDER ENTERED by Magistrate Judge David J. Waxse granting parties' joint motion to modify the scheduling order. [248-1] deadline for final witness and exhibit lists is 12/05/01; objections due 01/09/02 (cc: all counsel) (MG) (Entered: 10/10/2001)
10/16/2001	252	NOTICE by plaintiff of withdrawal of motion to compel responses to first set of document production requests by plaintiff; referred to Magistrate Judge David J. Waxse. [148-1] (MG) (Entered: 10/16/2001)
10/16/2001	253	ORDER ENTERED: by Magistrate Judge David J. Waxse finding plaintiff's motion to compel responses to first set of document production requests [148-1] moot. (cc: all counsel) (MG) (Entered: 10/16/2001)
10/16/2001	254	RESPONSE by plaintiff Western Resources to defendant Union Pacific's motion for leave to file response to supplement (FILED UNDER SEAL) (MM) (Entered: 10/18/2001)
10/17/2001	255	NOTICE by defendant Union Pacific RR Co of taking deposition of John Hayes on 10/25/01 (MM) (Entered: 10/18/2001)
10/22/2001	257	CERTIFICATE OF SERVICE of notice to take videotaped deposition by defendant Union Pacific RR Company. (MG) (Entered: 10/23/2001)
10/23/2001	258	MOTION (for leave) with memorandum in support to file a second amended complaint by plaintiff Western Resources; referred to Magistrate Judge David J. Waxse (MG) (Entered: 10/24/2001)
10/24/2001	259	CERTIFICATE OF SERVICE of notice to take depositions of Leslie Morgan and Tom Grennan by defendant Union Pacific RR Company. (MG) (Entered: 10/24/2001)
10/29/2001	260	REPLY by defendant Union Pacific RR Company to plaintiff's response to motion for leave to file response to plaintiff's supplement by defendant Union Pacific RR Company; referred to Magistrate Judge David J. Waxse. (FILED UNDER SEAL) [256-1] (MG) Modified on 11/26/2001 (Entered: 10/30/2001)

10/29/2001	261	UNOPPOSED MOTION to extend time until 11/16/01 to respond to plaintiff's motion to file a second amended complaint by defendants; referred to Magistrate Judge David J. Waxse (MG) (Entered: 10/30/2001)
10/30/2001	262	RETURN OF SERVICE of subpoena by defendant Union Pacific RR Company executed upon Leslie Morgan on 10/23/01 by personal service. (MG) (Entered: 10/30/2001)
10/30/2001	263	RETURN OF SERVICE of subpoena by defendant Union Pacific RR Company executed upon Luz Arce on 10/17/01 by personal service (MG) (Entered: 10/30/2001)
11/07/2001	264	NOTICE by plaintiff of taking videotaped deposition of F. M. "Rick" Gough on 11/19/01 at 9:00 a.m. (MG) (Entered: 11/08/2001)
11/07/2001	265	OBJECTIONS by plaintiff to defendant Union Pacific Railroad Company's notice to take videotaped deposition of Jack Reid. (MG) (Entered: 11/08/2001)
11/09/2001	266	NOTICE by plaintiff of taking deposition of Robert D. Krebs on 12/06/01 at 1:00 p.m. (MG) (Entered: 11/09/2001)
11/09/2001	267	NOTICE by plaintiff of taking deposition of Richard K. Davidson on 12/05/01 at 9:00 a.m. (MG) (Entered: 11/09/2001)
11/13/2001	268	MOTION to compel plaintiff to produce documents described in its supplemental privilege log by defendant Union Pacific RR Company; referred to Magistrate Judge David J. Waxse (FILED UNDER SEAL) (MG) (Entered: 11/14/2001)
11/13/2001	269	MEMORANDUM in support of defendant Union RR Company's motion to compel plaintiff to produce documents in its supplemental privilege log; referred to Magistrate Judge David J. Waxse. [268-1] (FILED UNDER SEAL) (MG) (Entered: 11/14/2001)
11/14/2001	270	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant's motion to extend time until 11/16/01 to respond to plaintiff's motion to file a second amended complaint. [261-1] (cc: all counsel) (MG) (Entered: 11/14/2001)
11/16/2001	271	MOTION to modify the Stipulated Protective Order substituting Larry Irick and David Januszewski for Martin Bregman and Richard Terrill in paragraph 14(b) by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 11/16/2001)
11/16/2001	272	MEMORANDUM in opposition by defendant Burlington Northern and Santa Fe to plaintiff's motion to file a second amended complaint; referred to Magistrate Judge David J. Waxse. [258-1] (FILED UNDER SEAL) (MG) (Entered: 11/16/2001)
11/16/2001	273	CERTIFICATE OF SERVICE of supplemental Rule 26 disclosures by defendant Burlington Northern and Santa Fe. (MG) (Entered: 11/19/2001)
11/23/2001	274	NOTICE OF SUBPOENA by defendant Union Pacific RR Company served upon Utilicorp, Inc. (MG) (Entered: 11/26/2001)

11/26/2001	275	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse granting plaintiff's motion to compel responses to interrogatories. [138-1] 8 pages (cc: all counsel) (MG) (Entered: 11/26/2001)
11/26/2001	276	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse granting in part and denying in part plaintiff's motion to compel responses to first and fifth sets of document production requests. [150-1] Granted with respect to first request 121, fifth request 1, first request 43, 101, 45-49, 51, 55, 59, 78, 96, 106-108, 137-139 and denied as moot with respect to first requests 22, 23, 26, 68, and 86. 13 pages (cc: all counsel) (MG) (Entered: 11/26/2001)
11/26/2001	277	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant Union Pacific RR Company's motion for leave to file a response to plaintiff's supplement. [256-1] (cc: all counsel) (MG) (Entered: 11/26/2001)
11/26/2001	278	NOTICE by plaintiff Western Resources of taking deposition of Henry Arms on 12/11/01 (MM) (Entered: 11/27/2001)
11/27/2001	279	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to modify the Stipulated Protective Order substituting Larry Irick and David Januszewski for Martin Bregman and Richard Terrill in paragraph 14(b). [271-1] (cc: all counsel) (MG) Modified on 12/11/2001 (Entered: 11/28/2001)
11/28/2001	280	UNOPPOSED MOTION to extend time until 12/12/01 in which to file and serve its reply to the defendants' memorandum in opposition to plaintiff's motion for leave to file a second amended complaint; referred to Magistrate Judge David J. Waxse (MG) (Entered: 11/29/2001)
11/29/2001	281	AMENDED NOTICE by plaintiff of taking videotaped deposition of Henry Arms on 12/11/01 at 9:00 a.m. (MG) (Entered: 11/29/2001)
11/30/2001	282	MOTION to compel L.E. Peabody and Thomas Crowley to produce documents described in the privilege log by defendant Union Pacific Railroad; referred to Magistrate Judge David J. Waxse (FILED UNDER SEAL) (MG) Modified on 03/26/2002 (Entered: 12/03/2001)
11/30/2001	283	MEMORANDUM in support of motion to compel L.E. Peabody and Thomas Crowley to produce documents described in the privilege log by Union Pacific Railroad; referred to Magistrate Judge David J. Waxse. [282-1] (FILED UNDER SEAL) (MG) (Entered: 12/03/2001)
12/03/2001	284	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time until 12/12/01 in which to file and serve its reply to the defendants' memorandum in opposition to plaintiff's motion for leave to file a second amended complaint. [280-1] (cc: all counsel) (MG) (Entered: 12/03/2001)
12/04/2001	285	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse granting defendant Union Pacific's motion to compel plaintiff to respond to second set of interrogatories. [152-1] 5 pages (cc: all counsel) (MG) (Entered: 12/04/2001)
12/05/2001	286	WITNESS LIST submitted by plaintiff. (MG) (Entered: 12/06/2001)

12/05/2001	287	FINAL WITNESS LIST submitted by defendant Union Pacific RR Company. (MG) (Entered: 12/06/2001)
12/05/2001	288	FINAL WITNESS LIST submitted by defendant Burlington Northern and Santa Fe Railway. (MG) (Entered: 12/06/2001)
12/05/2001	289	JOINT MOTION to modify the Court's Third Amended Scheduling Order [251-2] by plaintiff and defendants; referred to Magistrate Judge David J. Waxse (MG) (Entered: 12/06/2001)
12/05/2001	290	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse granting in part and denying in part defendants' motion to compel the production of documents. [154-1] Granted to the extent that plaintiff be required to produce, or make available for inspection, copies of drafts and negotiation documents requested in requests 23 and 24. Denied to the extent that beyond the copies of drafts and negotiation documents requested in requests 23 and 24, the Court will not compel plaintiff to further respond to the requests at issue. 10 pages (cc: all counsel) (MG) (Entered: 12/06/2001)
12/06/2001	291	SUPPLEMENT by defendant Union Pacific RR Company to their memorandum in support [283-1] of their motion to compel L.E. Peabody and Thomas Crowley to produce documents described in the privilege log; referred to Magistrate Judge David J. Waxse. [282-1] (FILED UNDER SEAL) (MG) Modified on 12/06/2001 (Entered: 12/06/2001)
12/07/2001	292	UNOPPOSED MOTION to extend time until 12/18/01 in which to file a memorandum in response to defendants' motion to compel plaintiff to produce documents described in its supplemental privilege log by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 12/10/2001)
12/11/2001	293	CERTIFICATE OF SERVICE of notice to take videotaped deposition of Thomas Crowley and David Wittig by defendant Union Pacific RR Company. (MG) (Entered: 12/11/2001)
12/11/2001	294	UNOPPOSED MOTION to extend time until 12/18/01 to respond to defendant Union Pacific's motion to compel L E Peabody and Thomas Crowley to produce documents described in their privilege log by movants L E Peabody and Thomas Crowley; referred to Magistrate Judge David J. Waxse (MG) (Entered: 12/12/2001)
12/12/2001	295	UNOPPOSED MOTION to extend time until 12/14/01 in which to file a reply to defendants' memorandum in opposition to plaintiff's motion for leave to file a second amended complaint by plaintiff; referred to Magistrate Judge David J. Waxse (MG) (Entered: 12/13/2001)
12/13/2001	296	CERTIFICATE (confirmation) of completed document production by defendant Union Pacific RR Company. (MG) (Entered: 12/13/2001)
12/14/2001	297	RESPONSES and OBJECTIONS by plaintiff to defendant Union Pacific's notice of deposition duces tecum regarding Commodity Purchasing. (MG) (Entered: 12/17/2001)
12/14/2001	298	REPLY by plaintiff to defendant's response (FILED UNDER SEAL) to plaintiff's motion to file a second amended complaint; referred to Magistrate

		Judge David J. Waxse. [258-1] (FILED UNDER SEAL) (MG) (Entered: 12/17/2001)
12/17/2001	299	RESPONSES and OBJECTIONS by movant UtiliCorp United Inc to defendant Union Pacific's subpoena duces tecum. (MG) (Entered: 12/17/2001)
12/18/2001	300	ORDER ENTERED: by Magistrate Judge David J. Waxse granting parties' joint motion to modify the Court's Third Amended Scheduling Order. [251-2] [280-1] Final exhibit lists deadline 01/04/02; objections deadline 02/08/02 (cc: all counsel) (MG) (Entered: 12/18/2001)
12/18/2001	301	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time until 12/18/01 in which to file a memorandum in response to defendants' motion to compel plaintiff to produce documents described in its privilege log. [292-1] Defendants shall have until 01/11/02 in which to serve their reply to plaintiff's responses. (cc: all counsel) (MG) (Entered: 12/18/2001)
12/18/2001	302	ORDER ENTERED: by Magistrate Judge David J. Waxse granting movants L E Peabody and Thomas Crowley's motion to extend time until 12/18/01 to respond to defendant Union Pacific's motion to compel L E Peabody and Thomas Crowley to produce documents described in their privilege log. [294-1] Defendant Union Pacific shall have until 01/11/02 in which to serve its reply to their response. (cc: all counsel) (MG) (Entered: 12/18/2001)
12/18/2001	303	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion to extend time until 12/14/01 in which to file a reply to defendants' memorandum in opposition to motion for leave to file a second amended complaint. [295-1] (cc: all counsel) (MG) (Entered: 12/18/2001)
12/18/2001	304	JOINT MEMORANDUM in opposition by plaintiff Western Resources, and movants L E Peabody and Thomas Crowley to defendant Union Pacific's motions to compel plaintiff to produce documents described its supplemental privilege log [268-1] (FILED UNDER SEAL) and to compel L.E. Peabody and Thomas Crowley produce documents described in the privilege log [282-1] (FILED UNDER SEAL); referred to Magistrate Judge David J. Waxse. (FILED UNDER SEAL) (MG) Modified on 12/26/2001 (Entered: 12/19/2001)
12/21/2001	305	NOTICE OF SERVICE of subpoena to Matthew Harris by defendant Union Pacific RR Company. (MG) (Entered: 12/21/2001)
12/21/2001	306	OBJECTIONS and responses by movants Gary W Vicinus and Vicon Energy Consultants to defendant Burlington Northern's subpoena for the production of documents. (MG) (Entered: 12/26/2001)
12/21/2001	307	EXHIBITS (affidavits of Thomas Wilcox, Nicholas DiMichael, and William Jack Reid) by defendant Western Resources, and movants L E Peabody and Thomas Crowley in support of their joint memorandum [304-1] in opposition to defendants' motion to compel L.E. Peabody and Thomas Crowley to produce documents described the priviege log by defendant Union Pacific Railroad; referred to Magistrate Judge David J. Waxse. [282-1] (FILED UNDER SEAL) (MG) (Entered: 12/26/2001)

12/21/2001	308	CERTIFICATE OF SERVICE of affidavits of Thomas Wilcox, Nicholas DiMichael, and William Jack Reid by plaintiff. (MG) (Entered: 12/26/2001)
12/21/2001	310	MOTION to strike plaintiff's jury demand by defendant Burlington No Santa referred to Judge Carlos Murguia (MM) (Entered: 12/27/2001)
12/26/2001	309	CERTIFICATE OF SERVICE of supplement to Union Pacific's privilege log by defendant Union Pacific RR Company. (MG) (Entered: 12/26/2001)
01/03/2002	311	JOINT MOTION to modify the Court's scheduling order and enter a fifth amended scheduling order by plaintiff and defendants; referred to Magistrate Judge David J. Waxse (MG) (Entered: 01/04/2002)
01/04/2002	312	MOTION to extend time until 01/25/02 in which to file a response to defendants' motion to strike plaintiff's jury demand for its contract termination and restitution claims (310-1) by plaintiff; referred to Judge Carlos Murguia (MG) (Entered: 01/07/2002)
01/04/2002	313	MOTION for leave to file defendants' response (to be filed under seal) concerning plaintiff's motion of leave to file a second amended complaint by defendants; referred to Magistrate Judge David J. Waxse (Defendants' response held in the vault pending a ruling on this motion) (MG) (Entered: 01/07/2002)
01/07/2002	314	SCHEDULING ORDER ENTERED by Magistrate Judge David J. Waxse granting parties joint motion to modify the Court's scheduling order and enter a fifth amended scheduling order. [311-1] (cc: all counsel) (MG) (Entered: 01/07/2002)
01/08/2002	315	ORDER ENTERED: by Judge Carlos Murguia granting plaintiff's motion to extend time until 01/25/02 in which to file a response to defendants' motion to strike plaintiff's jury demand for contract termination and restitution claims. (310-1) [312-1] (cc: all counsel) (MG) (Entered: 01/09/2002)
01/08/2002	316	CERTIFICATE OF SERVICE of supplemental response to interrogatory No. 5 and second supplemental responses to interrogatories Nos. 6, 20, and 21 by defendant Union Pacific RR Company. (MG) (Entered: 01/09/2002)
01/10/2002	317	SUPPLEMENT by plaintiff Western Resources and movants L E Peabody and Thomas Crowley to their memorandum in opposition [304-1] (FILED UNDER SEAL) to defendant's motion to compel plaintiff to produce documents described in its supplemental privilege log by defendant Union Pacific; referred to Magistrate Judge David J. Waxse [268-1] (FILED UNDER SEAL) and the motion to compel L.E. Peabody and Thomas Crowley to produce documents described in the privilege log by defendant Union Pacific Railroad; referred to Magistrate Judge David J. Waxse. [282-1] (FILED UNDER SEAL) (MG) Modified on 03/26/2002 (Entered: 01/11/2002)
01/11/2002	318	REPLY by defendant Union Pacific RR Company to plaintiff's response to their motions to compel plaintiff to produce documents described in its supplemental privilege log [268-1] (FILED UNDER SEAL) and to compel L.E. Peabody and Thomas Crowley to produce documents described in the privilege log [282-1] (FILED UNDER SEAL); referred to Magistrate Judge David J. Waxse. (FILED UNDER SEAL) (MG) (Entered: 01/14/2002)

01/14/2002	319	MOTION to compel production of documents related to defendant Union Pacific's train unit cost index by plaintiff referred to Magistrate Judge David J. Waxse (FILED UNDER SEAL) (MG) Modified on 01/14/2002 (Entered: 01/14/2002)
01/14/2002	320	MEMORANDUM in support of their motion to compel production of documents related to defendant Union Pacific's train unit cost index by plaintiff; referred to Magistrate Judge David J. Waxse. [319-1] (FILED UNDER SEAL) (MG) Modified on 01/14/2002 (Entered: 01/14/2002)
01/14/2002	321	AFFIDAVIT of Frank J. Pergolizzi in support of their motion to compel production of documents related to defendant Union Pacific's train unit cost index by plaintiff; referred to Magistrate Judge David J. Waxse. [319-1] (FILED UNDER SEAL) (MG) Modified on 01/14/2002 (Entered: 01/14/2002)
01/14/2002	322	CERTIFICATE OF SERVICE of affidavit of Frank J. Pergolizzi by plaintiff. (MG) (Entered: 01/14/2002)
01/14/2002	324	CERTIFICATE OF SERVICE of objections and responses to defendant Union Pacific's request for production of documents by non-parties Matthew Harris and Henwood Energy Services, Inc. (MG) (Entered: 01/17/2002)
01/15/2002	323	MINUTE SHEET of pretrial conference before Magistrate Judge David J. Waxse: pretrial conference held 01/15/02; parties are to revise and resubmit the proposed pretrial order by 01/25/02; discovery complete; dispositive motions deadline 02/01/02; trial set for 05/07/02; estimated length of trial 4-6 weeks; prospects for settlement are fair (MG) (Entered: 01/16/2002)
01/17/2002	325	MOTION for protective order barring enforcement of Union Pacific's subpoena by movants Thomas Crowley and L E Peabody & Associates; referred to Magistrate Judge David J. Waxse (MG) (Entered: 01/18/2002)
01/17/2002	326	BRIEF in support of their motion for protective order barring enforcement of Union Pacific's subpoena by movants Thomas Crowley and L E Peabody & Associates; referred to Judge David J. Waxse. [325-1] (MG) (Entered: 01/18/2002)
01/17/2002	327	EXHIBIT INDEX in support of their motion for protective order barring enforcement of Pacific's subpoena by movants Thomas Crowley and L E & Associates; referred to Magistrate Judge David J. Waxse. [325-1], re: memorandum [326-1] (MG) (Entered: 01/18/2002)
01/18/2002	328	MOTION to compel production of documents from John Klick, FTI Consulting, Inc., Robert Sansom, and Energy Ventures Analysis, Inc. by plaintiff Western Resources referred to Magistrate Judge David J. Waxse (YH) (Entered: 01/22/2002)
01/18/2002	329	MEMORANDUM in support of motion to compel production of documents from John Klick, FTI Consulting, Inc., Robert Sansom, and Energy Ventures Analysis, Inc. by plaintiff Western Resources referred to Magistrate Judge David J. Waxse [328-1] (YH) Modified on 01/22/2002 (Entered: 01/22/2002)
01/18/2002	330	INDEX re: motion to compel production of documents from John Klick, FTI Consulting, Inc., Robert Sansom, and Energy Ventures Analysis, Inc. by

		plaintiff Western Resources referred to Magistrate Judge David J. Waxse [328-1] (YH) (Entered: 01/22/2002)
01/18/2002	331	MOTION to compel Mr. William E. Greenwood's compliance with subpoena by plaintiff Western Resources referred to Magistrate Judge David J. Waxse (YH) (Entered: 01/22/2002)
01/18/2002	332	MOTION to compel L.E. Peabody & Associates and Thomas D. Crowley to produce documents by defendant referred to Magistrate Judge David J. Waxse (FILED UNDER SEAL) (YH) (Entered: 01/22/2002)
01/18/2002	333	MEMORANDUM in support of motion to compel L.E. Peabody & Associates and Thomas D. Crowley to produce documents by defendant referred to Magistrate Judge David J. Waxse [332-1] (FILED UNDER SEAL) (YH) (Entered: 01/22/2002)
01/18/2002	334	MOTION to compel testimony from Thomas D. Crowley by defendant Union Pacific RR Co referred to Magistrate Judge David J. Waxse (YH) (Entered: 01/22/2002)
01/18/2002	335	MEMORANDUM in support of motion to compel testimony from Thomas D. Crowley by defendant Union Pacific RR Co referred to Magistrate Judge David J. Waxse [334-1] (FILED UNDER SEAL) (YH) (Entered: 01/22/2002)
01/18/2002	336	MOTION to compel Lyman Transportation and Logistics, Inc., William C. Lyman, Vicon Energy Consultants, LLC., and Gary W. Vicinus to produce documents by defendant Burlington No Santa referred to Magistrate Judge David J. Waxse (FILED UNDER SEAL) (YH) (Entered: 01/22/2002)
01/23/2002	337	JOINT MOTION to extend deadlines until 01/08/02 in which to file responses to discovery motions by plaintiff and defendants; referred to Magistrate Judge David J. Waxse (MG) (Entered: 01/24/2002)
01/25/2002	338	RESPONSE by plaintiff to defendant Burlington Northern's motion to strike plaintiff's jury demand; referred to Judge Carlos Murguia. [310-1] (MG) (Entered: 01/28/2002)
01/28/2002	339	RESPONSE by defendants to plaintiff Western Resources' and L.E. Peabody Associates' supplement [317-1] to their joint memorandum in opposition to defendants' motions to compel L.E. Peabody and Thomas Crowley to produce documents described in the privilege log [282-1] and to compel plaintiff to produce documents described its supplemental privilege log [268-1]; referred to Magistrate Judge David J. Waxse. (MG) (Entered: 01/29/2002)
01/31/2002	340	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse granting in part defendant Union Pacific's motion to compel plaintiff to produce documents described in its privilege log [196-1], granting in part defendant Union Pacific's motion to compel plaintiff to produce documents described in its supplemental privilege log [268-1], and denying defendant Union Pacific's motion to compel L.E. Peabody and Thomas Crowley to produce documents described the privilege log [282-1]. For additional details set forth see this Memorandum and Order. 41 pages (cc: all counsel) (MG) (Entered: 02/01/2002)

02/01/2002	341	MOTION for summary judgment dismissing all counts in plaintiff's first amended complaint by defendant Union Pacific RR Company; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) (Entered: 02/04/2002)
02/01/2002	342	MEMORANDUM in support of their motion for summary judgment dismissing all counts in plaintiff's first amended complaint by defendant Union Pacific RR Company; referred to Judge Carlos Murguia. (FILED UNDER SEAL) (MG) (Entered: 02/04/2002)
02/01/2002	343	MEMORANDUM (VOLUME 2) in support of their motion for summary judgment dismissing all counts in plaintiff's first amended by defendant Union Pacific RR Company; referred to Judge Carlos Murguia. [341-1] (FILED UNDER SEAL) (MG) (Entered: 02/04/2002)
02/01/2002	345	MEMORANDUM in support of their motion for partial summary judgment by plaintiff; referred to Judge Carlos Murguia. [344-1] (FILED UNDER SEAL) (MG) (Entered: 02/04/2002)
02/04/2002	344	MOTION for partial summary judgment by plaintiff; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) (Entered: 02/04/2002)
02/05/2002	346	MOTION to extend time until 03/01/02 in which to file their reply in further support of their motion to strike plaintiff's jury demand (#310-1) by defendants; referred to Judge Carlos Murguia (MG) (Entered: 02/06/2002)
02/07/2002	347	PRETRIAL ORDER ENTERED by Magistrate Judge David J. Waxse: pretrial conference held 01/15/02; terminating case referral of Magistrate Judge David J. Waxse; jury trial set for 05/07/02; estimated trial time four to six weeks; prospects for settlement are unknown. (cc: all counsel) (MG) (Entered: 02/07/2002)
02/07/2002	348	MOTION for leave to file a motion to compel testimony from Robert Sansom by plaintiff; referred to Magistrate Judge David J. Waxse (FILED UNDER SEAL) (MG) (Entered: 02/07/2002)
02/08/2002	349	ORDER ENTERED: by Judge Carlos Murguia granting defendants' motion to extend time until 03/01/02 in which to file their reply in further support of their motion to strike plaintiff's jury demand (#310-1). [346-1] (cc: all counsel) (MG) (Entered: 02/11/2002)
02/08/2002	350	ORDER ENTERED: by Magistrate Judge David J. Waxse granting parties' joint motion to extend deadlines until 01/08/02 in which to file responses to discovery motions. [337-1] For more detailed information, see this order. (cc: all counsel) (MG) (Entered: 02/11/2002)
02/08/2002	351	MOTION to extend time until 02/15/02 in which to respond to plaintiff's motion to compel production of documents related to defendant Union Pacific's train cost index by defendant Union Pacific RR Company; referred to Judge Carlos Murguia (MG) (Entered: 02/11/2002)
02/08/2002	352	MEMORANDUM in opposition by plaintiff to defendant Union Pacific's motion to compel testimony from Thomas D. Crowley; referred to Magistrate Judge David J. Waxse. [334-1] (MG) (Entered: 02/11/2002)

02/08/2002	353	MEMORANDUM in opposition by movants Thomas Crowley and L E Peabody to defendant Union Pacific's second motion to compel L.E. Peabody & Associates and Thomas D. Crowley to produce documents; referred to Magistrate Judge David J. Waxse. [332-1] (MG) (Entered: 02/11/2002)
02/08/2002	354	MEMORANDUM in opposition by defendant Union Pacific RR Company to motion for protective order barring enforcement of Union Pacific's subpoena by movants Thomas Crowley and L E Peabody & Associates; referred to Magistrate Judge David J. Waxse. [325-1] (FILED UNDER SEAL) (MG) (Entered: 02/11/2002)
02/08/2002	355	MEMORANDUM in opposition by movant William E Greenwood to plaintiff's motion to compel Mr. William E. Greenwood's compliance with subpoena by plaintiff Western Resources; referred to Magistrate Judge David J. Waxse. [331-1] (FILED UNDER SEAL) (MG) (Entered: 02/11/2002)
02/14/2002	356	NOTICE by plaintiff Western Resources of withdrawal of re: motion to compel production of documents related to defendant Union Pacific's train unit cost index [319-1] (CK) (Entered: 02/15/2002)
02/19/2002	357	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant's motion for leave to file defendants' response (to be filed under seal) concerning plaintiff's motion of leave to file second amended complaint. [313-1] (cc: all counsel) (MG) (Entered: 02/19/2002)
02/19/2002	358	ORDER ENTERED: by Magistrate Judge David J. Waxse granting defendant Union Pacific's motion to extend time until 02/15/02 in which to respond plaintiff's motion to compel production of documents to defendant Union Pacific's train cost index. [351-1] (cc: all counsel) (MG) (Entered: 02/19/2002)
02/19/2002	359	RESPONSE by defendant Union Pacific RR Company to plaintiff's reply in support of their motion to file a second amended complaint by plaintiff Western Resources; referred to Magistrate Judge David J. Waxse. [258-1] (FILED UNDER SEAL) (MG) Modified on 02/20/2002 (Entered: 02/20/2002)
02/19/2002	360	MOTION to exclude testimony of plaintiff's rebuttal witness Matthew Harris by defendant Union Pacific RR Company; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) (Entered: 02/20/2002)
02/19/2002	361	MEMORANDUM in support of motion to exclude testimony of plaintiff's rebuttal witness Matthew Harris by defendant Union Pacific RR Company; referred to Judge Carlos Murguia. [360-1] (FILED UNDER SEAL) (MG) (Entered: 02/20/2002)
02/19/2002	362	MOTION in limine to preclude certain expert testimony of John C. Klick by plaintiff; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) (Entered: 02/20/2002)
02/19/2002	363	MOTION in limine to preclude expert testimony of Robert Sansom by plaintiff; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) (Entered: 02/20/2002)
02/19/2002	364	

		MOTION in limine to preclude certain expert testimony of William E. Greenwood by plaintiff; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) (Entered: 02/20/2002)
02/19/2002	365	MOTION in limine to preclude expert testimony of Andrew J. Cebula by plaintiff; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) (Entered: 02/20/2002)
02/19/2002	366	MOTION with memorandum in support for leave to exceed the page limit regarding defendants' memorandum in support of defendants' motion to exclude the testimony of expert Thomas D. Crowley (to be filed under seal); by defendant referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) Modified on 02/21/2002 (Entered: 02/21/2002)
02/19/2002	367	MOTION to exclude or limit the testimony of plaintiff's expert Thomas D. Crowley by defendants; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) (Entered: 02/21/2002)
02/19/2002	368	MOTION to exclude or limit the testimony of plaintiff's expert William C. Lyman by defendants; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) (Entered: 02/21/2002)
02/19/2002	369	MEMORANDUM in support of their motion to exclude or limit the testimony of plaintiff's expert C. Lyman by defendants; referred to Judge Carlos Murguia. [368-1] (FILED UNDER SEAL) (MG) (Entered: 02/21/2002)
02/19/2002	370	APPENDIX OF EXHIBITS in support of their motion to exclude or limit the testimony of plaintiff's expert William C. Lyman by defendants; referred to Judge Carlos Murguia. [368-1] (FILED UNDER SEAL) (MG) (Entered: 02/21/2002)
02/19/2002	371	MOTION to exclude or limit the testimony of plaintiff's expert Gary W. Vicinus by defendants; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) (Entered: 02/21/2002)
02/19/2002	372	MEMORANDUM in support of their motion to exclude or limit the testimony of plaintiff's expert Gary Vicinus by defendants; referred to Judge Carlos Murguia. [371-1] (FILED UNDER SEAL) (MG) (Entered: 02/21/2002)
02/19/2002	373	APPENDIX OF EXHIBITS in support of their motion to exclude or limit the testimony of plaintiff's expert Gary W. Vicinus by defendants; referred to Judge Carlos Murguia. [371-1] (FILED UNDER SEAL) (MG) (Entered: 02/21/2002)
02/22/2002	374	REPLY by defendant Union Pacific RR Company to plaintiff's response to their motion to compel L.E. Peabody & Associates and Thomas D. Crowley to produce documents; referred to Magistrate Judge David J. Waxse. [332-1] (MG) (Entered: 02/25/2002)
02/22/2002	375	REPLY by defendants to plaintiff's response to motion to compel testimony from Thomas D. Crowley by defendant Union Pacific RR Company; referred to Magistrate Judge David J. Waxse. [334-1] (MG) (Entered: 02/25/2002)
02/22/2002	376	

		AGREED MOTION to extend time in which parties may respond to parties' respective motions for summary judgment by plaintiff and defendants; referred to Judge Carlos Murguia (MG) (Entered: 02/25/2002)
02/22/2002	377	REPLY by plaintiff to the response to his motion to compel Mr. William E. Greenwood's compliance with subpoena; referred to Magistrate Judge David J. Waxse. [331-1] (MG) (Entered: 02/25/2002)
02/22/2002	378	REPLY by plaintiff to the response to their motion to compel production of documents from John Klick, FTI Consulting, Inc., Robert Sansom, and Energy Ventures Analysis, Inc.; referred to Magistrate Judge David J. Waxse. [328-1] (MG) (Entered: 02/25/2002)
02/22/2002	379	REPLY by movants Thomas Crowley and L E Peabody to response to their motion for a protective order barring enforcement of Union Pacific's subpoena; referred to Magistrate Judge David J. Waxse. [325-1] (MG) (Entered: 02/25/2002)
02/22/2002	380	REPLY by defendant Burlington Northern and Santa Fe to the response to their motion to compel Lyman Transportation and Logistics, Inc., William C. Lyman, Vicon Energy Consultants, LLC., and Gary W. Vicinus to produce documents; referred to Magistrate Judge David J. Waxse. [336-1] (FILED UNDER SEAL) (MG) (Entered: 02/25/2002)
02/25/2002	381	MEMORANDUM in opposition by defendants to plaintiff's motion to compel production of documents from John Klick, FTI Consulting, Inc., Robert Sansom, and Energy Ventures Analysis, Inc. (Motion to compel testimony from Robert Sansom); referred to Magistrate Judge David J. Waxse. [328-1] (MG) (Entered: 02/25/2002)
02/26/2002	382	ORDER ENTERED: by Judge Carlos Murguia granting parties' joint motion to extend time until 03/04/02 in which to respond to parties' respective motions for summary judgment. [376-1] (cc: all counsel) (MG) (Entered: 02/26/2002)
02/26/2002	383	CERTIFICATE OF SERVICE of Supplemental Response to second set of interrogatories by plaintiff (CK) (Entered: 02/27/2002)
03/01/2002	384	JOINT MOTION to extend time until 03/08/02 in which to file their respective responses to the pending motions for summary judgment by plaintiff and defendants; referred to Judge Carlos Murguia (MG) (Entered: 03/04/2002)
03/01/2002	385	UNOPPOSED MOTION to extend deadline until 03/08/02 in which to submit their reply in support of their motion to strike plaintiff's jury demand (#310) by defendants; referred to Judge Carlos Murguia (MG) (Entered: 03/04/2002)
03/05/2002	386	ORDER ENTERED: by Judge Carlos Murguia granting defendants' motion to extend deadline until 03/08/02 in which to submit their reply in support of their motion to strike plaintiff's jury demand (#310). [385-1] (cc: all counsel) (MG) (Entered: 03/06/2002)
03/05/2002	387	ORDER ENTERED: by Judge Carlos Murguia granting parties' joint motion to extend time until 03/08/02 in which to file their respective responses to the pending motions for summary judgment. [384-1] (cc: all counsel) (MG) (Entered: 03/06/2002)

03/07/2002	388	REPLY by plaintiff to defendants' response to their motion to compel production of documents from John Klick, FTI Consulting, Inc., Robert Sansom, and Energy Ventures Analysis, Inc.; referred to Magistrate Judge David J. Waxse. [328-1] (FILED UNDER SEAL) (MG) Modified on 03/08/2002 (Entered: 03/08/2002)
03/08/2002	389	MEMORANDUM in opposition by defendant Union Pacific RR Company to plaintiff's motion for partial summary judgment; referred to Judge Carlos Murguia. [344-1] (FILED UNDER SEAL) (MG) (Entered: 03/08/2002)
03/08/2002	390	REPLY by defendants to plaintiff's response to defendant's motion to strike plaintiff's jury demand by defendant Burlington Northern & Santa Fe; referred to Judge Carlos Murguia. [310-1] (FILED UNDER SEAL) (MG) Modified on 03/11/2002 (Entered: 03/11/2002)
03/08/2002	391	MEMORANDUM in opposition by plaintiff to defendants' motion for summary judgment dismissing all counts in plaintiff's first amended complaint by defendant Union Pacific RR Company; referred to Judge Carlos Murguia. [341-1] (FILED UNDER SEAL) (MG) Modified on 03/11/2002 (Entered: 03/11/2002)
03/08/2002	392	(APPENDIX OF) EXHIBITS, Volume I, with exhibits 1-10, by plaintiff in support of their memorandum in opposition [391-1] to defendants' motion for summary judgment dismissing all counts in plaintiff's first amended complaint by defendant Union Pacific RR Company; referred to Judge Carlos Murguia. (FILED UNDER SEAL) (MG) Modified on 03/11/2002 (Entered: 03/11/2002)
03/08/2002	393	(APPENDIX OF) EXHIBITS, Volume II, with exhibits 11-30, by plaintiff in support of their memorandum in opposition [391-1] to defendants' motion for summary judgment dismissing all counts in plaintiff's first amended complaint by defendant Union Pacific RR Company; referred to Judge Carlos Murguia. (FILED UNDER SEAL) (MG) Modified on 03/11/2002 (Entered: 03/11/2002)
03/08/2002	394	(APPENDIX OF) EXHIBITS, Volume III, with exhibits 31-40, by plaintiff in support of their memorandum in opposition [391-1] to defendants' motion for summary judgment dismissing all counts in plaintiff's first amended complaint by defendant Union Pacific RR Company; referred to Judge Carlos Murguia. (FILED UNDER SEAL) (MG) Modified on 03/11/2002 (Entered: 03/11/2002)
03/08/2002	395	(APPENDIX OF) EXHIBITS, Volume IV, with exhibits 41-77, by plaintiff in support of their memorandum in opposition [391-1] to defendants' motion for summary judgment dismissing all counts in plaintiff's first amended complaint by defendant Union Pacific RR Company; referred to Judge Carlos Murguia. (FILED UNDER SEAL) (MG) Modified on 03/11/2002 (Entered: 03/11/2002)
03/11/2002	396	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse denying plaintiff's motion to file a second amended complaint. [258-1] 5 pages (cc: all counsel) (MG) (Entered: 03/11/2002)
03/13/2002	397	JOINT FINAL EXHIBIT LIST by defendants. (MG) (Entered: 03/14/2002)
03/13/2002	398	WITNESS AND EXHIBIT LIST (Rule 26(a)(3)(c) disclosures) submitted by plaintiff. (FILED UNDER SEAL) (MG) (Entered: 03/14/2002)

03/22/2002	399	JOINT MOTION with memorandum in support to extend time until 04/12/02 in which to file their respective replies to the pending motions for summary judgment by plaintiff and defendants; referred to Judge Carlos Murguia (MG) (Entered: 03/25/2002)
03/25/2002	400	MOTION for review of Magistrate Waxse's order by plaintiff; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) (Entered: 03/26/2002)
03/25/2002	401	MEMORANDUM in support of their motion for review of Magistrate Waxse's order by plaintiff; referred to Judge Carlos Murguia. [400-1] (FILED UNDER SEAL) (MG) (Entered: 03/26/2002)
03/26/2002	402	ORDER ENTERED: by Judge Carlos Murguia granting parties' joint motion to extend time until 04/12/02 in which to file their respective replies to the pending motions for summary judgment. [399-1] (cc: all counsel) (MG) (Entered: 03/26/2002)
04/01/2002	403	MOTION for protective order regarding the deposition of Thomas Wilcox by plaintiff; referred to Judge Carlos Murguia (MG) (Entered: 04/02/2002)
04/01/2002	404	MEMORANDUM in support of their motion for protective order regarding the deposition of Thomas Wilcox by plaintiff; referred to Judge Carlos Murguia. [403-1] (MG) (Entered: 04/02/2002)
04/01/2002	405	CERTIFICATE OF SERVICE of supplemental responses to first interrogatory Nos. 6, 15, and 16 by defendant Burlington Northern and Santa Fe. (MG) (Entered: 04/02/2002)
04/01/2002	406	CERTIFICATE OF SERVICE of notice to take videotaped deposition of Thomas Crowley by defendant Union Pacific RR Company. (MG) (Entered: 04/02/2002)
04/04/2002	407	ORDER ENTERED by Judge Carlos Murguia: due to conflict in the Court's schedule; jury trial set for 05/07/02 is rescheduled for 9:30 a.m. on 8/6/02 (cc: all counsel) (MG) (Entered: 04/04/2002)
04/08/2002	408	MEMORANDUM in opposition by defendants to plaintiff's motion for review of Magistrate Waxse's order; referred to Judge Carlos Murguia. [400-1] (FILED UNDER SEAL) (MG) (Entered: 04/09/2002)
04/08/2002	409	ORDER ENTERED: by Magistrate Judge David J. Waxse granting plaintiff's motion for leave to file a motion to compel testimony from Robert Sansom. [348-1] (Plaintiff's motion to compel testimony detached and filed under seal as directed.) (cc: all counsel) (MG) (Entered: 04/09/2002)
04/08/2002	410	MOTION with memorandum in support to compel testimony from Robert Sansom by plaintiff; referred to Magistrate Judge David J. Waxse (FILED UNDER SEAL) (MG) Modified on 06/04/2002 (Entered: 04/09/2002)
04/10/2002	411	CERTIFICATE OF SERVICE of supplemental responses to plaintiff's first interrogatories by defendant Union Pacific RR Company. (MG) (Entered: 04/10/2002)
04/12/2002	412	MOTION to extend time until 04/19/02 in which to file responses to the parties' respective motions to exclude expert testimony and to file reply briefs

		in support of their respective motions for summary judgment by plaintiff and defendants; referred to Judge Carlos Murguia (MG) Modified on 05/16/2002 (Entered: 04/15/2002)
04/15/2002	413	MEMORANDUM in opposition by defendants Union Pacific RR and Burlington Northern and Santa Fe to plaintiff's motion for protective order regarding the deposition of Thomas Wilcox; referred to Judge Carlos Murguia. [403-1] (MM) Modified on 05/16/2002 (Entered: 04/16/2002)
04/15/2002	414	MOTION for leave to take the deposition of Thomas Wilcox by defendants Union Pacific RR Co, Burlington No Santa referred to Judge Carlos Murguia (MM) (Entered: 04/16/2002)
04/15/2002	415	ORDER ENTERED: by Judge Carlos Murguia granting the joint motion to extend time until 04/19/02 in which to file responses to parties' respective motions to exclude expert testimony and to file reply briefs in support of their respective motions for summary judgment [412-1] (cc: all counsel) (CK) (Entered: 04/17/2002)
04/19/2002	416	RESPONSE by plaintiff Western Resources to motion to exclude or limit the testimony of plaintiff's expert William C. Lyman by defendants; referred to Judge Carlos Murguia [368-1](FILED UNDER SEAL) (MM) (Entered: 04/22/2002)
04/19/2002	417	REPLY MEMORANDUM by plaintiff Western Resources to response to motion for partial summary judgment by plaintiff; referred to Carlos Murguia [344-1] (FILED UNDER SEAL) (MM) (Entered: 04/22/2002)
04/19/2002	418	MEMORANDUM/BRIEF in opposition by plaintiff Western Resources to motion to exclude or limit the testimony of plaintiff's expert Thomas D. Crowley by defendants; referred to Judge Carlos Murguia [367-1] (FILED UNDER SEAL) (MM) (Entered: 04/22/2002)
04/19/2002	419	MEMORANDUM/BRIEF in opposition by defendants to plaintiffs motion in limine to preclude certain expert testimony of William E. Greenwood ; referred to Judge Carlos Murguia [364-1] (FILED UNDER SEAL) (MM) (Entered: 04/22/2002)
04/19/2002	101	INDEX OF EXHIBITS by defendants in support of memorandum in opposition to plaintiff's motion in limine [419-1] (FILED UNDER SEAL) (MM) (Entered: 04/22/2002)
04/19/2002	421	MEMORANDUM/BRIEF in opposition by defendants to plaintiff's motion in limine to preclude expert testimony of Robert Sansom by plaintiff; referred to Judge Carlos [363-1] (FILED UNDER SEAL) (MM) (Entered: 04/22/2002)
04/19/2002	422	REPLY memorandum in support by defendants to response to motion for summary judgment dismissing all counts in plaintiff's first amended complaint; referred to Judge Carlos Murguia [341-1] (FILED UNDER SEAL) (MM) Modified on 04/23/2002 (Entered: 04/23/2002)
04/19/2002	423	RESPONSE by plaintiff to defendants' motion (in limine) to exclude or limit the testimony of plaintiff's expert Gary W. Vicinus; referred to Judge Carlos

		Murguia. [371-1] (FILED UNDER SEAL) (MG) Modified on 04/23/2002 (Entered: 04/23/2002)
04/19/2002	424	MEMORANDUM in opposition by plaintiff to defendant Union Pacific's motion to exclude testimony of plaintiff's rebuttal (expert) witness Matthew Harris; referred to Judge Carlos Murguia. [360-1] (FILED UNDER SEAL) (MG) (Entered: 04/23/2002)
04/19/2002	425	MEMORANDUM in opposition by defendant Union Pacific RR Company to plaintiff's motion in limine to preclude expert testimony of Andrew J. Cebula; referred to Judge Carlos Murguia. [365-1] (FILED UNDER SEAL) (MG) (Entered: 04/23/2002)
04/19/2002	426	MEMORANDUM in opposition by defendant Union Pacific RR Company to plaintiff's motion in limine to preclude certain expert testimony of John C. Klick; referred to Judge Carlos Murguia. [362-1] (FILED UNDER SEAL) (MG) Modified on 04/23/2002 (Entered: 04/23/2002)
04/22/2002	427	REPLY by plaintiff to defendants' response to their motion for review of Magistrate Waxse's order; referred to Judge Carlos Murguia. [400-1] (FILED UNDER SEAL) (MG) Modified on 04/23/2002 (Entered: 04/23/2002)
04/22/2002	428	MOTION to substitute attached exhibits 5B and 5C to the affidavit of Matthew Harris attached as exhibit 5 to plaintiff's memorandum in opposition to defendants' motion to exclude testimony of plaintiff's expert witness Matthew Harris by plaintiff; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) Modified on 04/23/2002 (Entered: 04/23/2002)
04/22/2002	429	MEMORANDUM in support of their motion to substitute attached exhibits 5B and 5C to the affidavit of Matthew Harris attached as exhibit 5 to plaintiff's memorandum in opposition to defendants' motion to exclude testimony of plaintiff's expert witness Matthew Harris by plaintiff; referred to Judge Carlos Murguia. [428-1] (FILED UNDER SEAL) (MG) (Entered: 04/23/2002)
04/29/2002	430	MEMORANDUM in opposition by plaintiff to defendants' motion for leave to take the deposition of Thomas Wilcox; referred to Judge Carlos Murguia. [414-1] (MG) (Entered: 04/29/2002)
04/29/2002	431	REPLY by plaintiff to defendants' response to their motion for a protective order regarding the deposition of Thomas Wilcox; referred to Judge Carlos Murguia. [403-1] (MG) (Entered: 04/29/2002)
04/30/2002	432	ORDER ENTERED: by Judge Carlos Murguia granting plaintiff's motion to substitute attached exhibits 5B and 5C to the affidavit of Matthew Harris attached as exhibit 5 to plaintiff's memorandum in opposition to defendants' motion to exclude testimony of plaintiff's expert witness Matthew Harris. [428-1] (Exhibits detached and replaced as directed) (cc: all counsel) (MG) (Entered: 05/01/2002)
05/01/2002	433	MOTION for leave to file a surreply concerning defendants' motion for summary judgment by plaintiff; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) (Entered: 05/01/2002)
05/13/2002	434	

		NOTICE OF WITHDRAWAL by attorney Timothy J Racicot as counsel for defendant Burlington Northern and Santa Fe. (MG) (Entered: 05/14/2002)
05/13/2002	435	REPLY by defendants to plaintiff's response to their motion for leave to take the deposition of Thomas Wilcox; referred to Judge Carlos Murguia. [414-1] (MG) (Entered: 05/14/2002)
05/13/2002	436	JOINT MOTION to extend certain pretrial deadlines by plaintiff and defendants; referred to Judge Carlos Murguia (MG) (Entered: 05/14/2002)
05/15/2002	437	ORDER ENTERED: by Judge Carlos Murguia regarding attorney Timothy Racicot's motion (notice) of withdrawal [434-1] as counsel for defendant Burlington Northern; withdrawing attorney Timothy Racicot as counsel for defendant Burlington Northern (cc: all counsel) (MG) (Entered: 05/15/2002)
05/15/2002	438	MEMORANDUM in opposition by defendants to plaintiff's motion for leave to file a surreply concerning defendants' motion for summary judgment (FILED UNDER SEAL); referred to Judge Carlos Murguia. [433-1] (MG) (Entered: 05/16/2002)
05/16/2002	439	ORDER ENTERED: by Judge Carlos Murguia; granting motion to extend certain pretrial deadlines by plaintiff and defendants [436-1]; Daubert motions 5/15/02; Supplementation to exhibit list 5/20/02; Objections to exhibits 5/31/02; Deposition designation 5/17/02; Motions in limine 7/2/02; (cc: all counsel) (TRS) (Entered: 05/17/2002)
05/17/2002	440	REPLY by defendants to response to motion to exclude or limit the testimony of plaintiff's expert William C. Lyman by defendants; referred to Judge Carlos Murguia [368-1] (SEALED DOCUMENT) (CK) Modified on 05/17/2002 (Entered: 05/17/2002)
05/17/2002	441	MEMORANDUM IN REPLY by plaintiff Western Resources to opposition to motion in limine to preclude expert testimony of Andrew J. Cebula by plaintiff; referred to Judge Carlos Murguia [365-1] (FILED UNDER SEAL) (YH) Modified on 05/20/2002 (Entered: 05/20/2002)
05/17/2002	442	REPLY in support by plaintiff Western Resources to motion in limine to preclude certain expert testimony of John C. Klick by plaintiff; referred to Judge Carlos Murguia [362-1] (FILED UNDER SEAL) (YH) (Entered: 05/20/2002)
05/17/2002	443	REPLY in support by plaintiff Western Resources to motion in limine to preclude certain expert testimony of William E. Greenwood by plaintiff; referred to Judge Carlos Murguia [364-1] (FILED UNDER SEAL) (YH) (Entered: 05/20/2002)
05/17/2002	444	REPLY in support by plaintiff Western Resources to motion in limine to preclude expert testimony of Robert Sansom by plaintiff; referred to Judge Carlos Murguia [363-1] (FILED UNDER SEAL) (YH) (Entered: 05/20/2002)
05/17/2002	445	REPLY in support by defendant Union Pacific RR Co to motion to exclude or limit the testimony of plaintiff's expert Thomas D. Crowley by defendants; referred to Judge Carlos Murguia [367-1] (FILED UNDER SEAL) (YH) (Entered: 05/20/2002)

05/17/2002	446	REPLY in support by defendants to motion to exclude or limit the testimony of plaintiff's expert W. Vicinus by defendants; referred to Judge Carlos Murguia [371-1] (YH) (Entered: 05/20/2002)
05/17/2002	447	REPLY in support by defendants to motion to exclude testimony of plaintiff's rebuttal witness Matthew Harris by defendant Union Pacific RR Company; referred to Judge Carlos Murguia [360-1] (YH) (Entered: 05/20/2002)
05/17/2002	448	APPENDIX by defendant re: motion reply [445-1], re: motion to exclude or limit the testimony of plaintiff's expert Thomas D. Crowley by defendants; referred to Judge Carlos Murguia [367-1] (FILED UNDER SEAL) (YH) (Entered: 05/20/2002)
05/20/2002	449	DESIGNATION OF DEPOSITIONS of Dave McMullen by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	450	DESIGNATION OF DEPOSITIONS of Michael Lenzen by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	451	DESIGNATION OF DEPOSITIONS of Richard A. Krebs by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	452	DESIGNATION OF DEPOSITIONS of Thomas Kraemer by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	453	DESIGNATION OF DEPOSITIONS of John J. Koraleski by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	454	DESIGNATION OF DEPOSITIONS of Rex Bradley King by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	455	DESIGNATION OF DEPOSITIONS of Thomas C. Haley by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	456	DESIGNATION OF DEPOSITIONS of Frederick Gough by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	457	DESIGNATION OF DEPOSITIONS Richard C. Ellis by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	458	DESIGNATION OF DEPOSITIONS of Dennis Duffy by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	459	DESIGNATION OF DEPOSITIONS of Richard K. Davidson by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	460	DESIGNATION OF DEPOSITIONS of William A. Cunningham by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	461	DESIGNATION OF DEPOSITIONS of Andrew J. Cebula by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	462	DESIGNATION OF DEPOSITIONS of Mark Bristol by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	463	

		DESIGNATION OF DEPOSITIONS of Rollin Bredenberg by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	464	DESIGNATION OF DEPOSITIONS of Peter Brandt by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	465	DESIGNATION OF DEPOSITIONS of Michael Boone by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	466	DESIGNATION OF DEPOSITIONS of Stephen Behn by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	467	DESIGNATION OF DEPOSITIONS of Henry Arms by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	468	DESIGNATION OF DEPOSITIONS John Anderson by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	469	DESIGNATION OF DEPOSITIONS of Norman Nolte by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	470	DESIGNATION OF DEPOSITIONS of Arthur W. Peters by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	471	DESIGNATION OF DEPOSITIONS of William Piepmeier by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	472	DESIGNATION OF DEPOSITIONS of David S. Quilici by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	473	DESIGNATION OF DEPOSITIONS of Kenneth Ratcliff by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	474	DESIGNATION OF DEPOSITIONS of John Rebensdorf by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	475	DESIGNATION OF DEPOSITIONS of Randall Reyff by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	476	DESIGNATION OF DEPOSITIONS of Dale Salzman by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	477	DESIGNATION OF DEPOSITIONS of Sami M. Shalah by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	478	DESIGNATION OF DEPOSITIONS of Arthur L. Shoener by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	479	DESIGNATION OF DEPOSITIONS of Woodruff Sutton by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	480	AMENDED CERTIFICATE OF SERVICE of deposition designations by plaintiff (KM) (Entered: 05/21/2002)
05/20/2002	481	JOINT SUPPLEMENTAL EXHIBIT LIST by defendants. (KM) (Entered: 05/21/2002)

05/21/2002	482	DESIGNATION OF DEPOSITIONS by Burlington No Santa, Union Pacific RR Co (KM) (Entered: 05/21/2002)
05/29/2002	483	MOTION to extend time until 05/31/02 in which to file its reply to defendants' memorandum in opposition to their motion for leave to file a surreply by plaintiff; referred to Judge Carlos Murguia (MG) (Entered: 05/30/2002)
05/30/2002	484	MEMORANDUM AND ORDER: by Judge Carlos Murguia denying motion for review of Magistrate Waxse's order by plaintiff; [400-1] 3 pages (cc: all counsel) (MM) (Entered: 05/31/2002)
05/30/2002	485	ORDER ENTERED: by Judge Carlos Murguia granting motion for leave to file a surreply concerning defendants' motion for summary judgment by plaintiff; plaintiff to file surreply in the form submitted with the pending motion within 10 days of this order [433-1] (cc: all counsel) (MM) (Entered: 05/31/2002)
05/31/2002	486	NOTICE by defendants of taking videotaped deposition of Tom Green on 06/25/02 at 9:00 a.m. (MG) (Entered: 06/03/2002)
05/31/2002	487	OBJECTIONS by plaintiff to defendants' joint proposed trial exhibits. [481-1] (MG) (Entered: 06/03/2002)
05/31/2002	488	OBJECTIONS by defendant Burlington Northern and Santa Fe Railway to plaintiff's Rule 26(a)(3)(C) disclosures. [398-1] (FILED UNDER SEAL) (MG) (Entered: 06/03/2002)
05/31/2002	489	MEMORANDUM in support of their motion for leave to file a surreply concerning defendants' motion for judgment; referred to Judge Carlos Murguia. [433-1] (FILED UNDER SEAL) (MG) (Entered: 06/03/2002)
05/31/2002	490	ORDER ENTERED: by Judge Carlos Murguia granting defendants' motion for leave to exceed the page limit regarding defendants' memorandum in support of defendants' motion to exclude the testimony of expert Thomas D. Crowley (to be filed under seal). (cc: all counsel) (MG) (Entered: 06/03/2002)
05/31/2002	491	ORDER ENTERED: by Judge Carlos Murguia denying plaintiff's motion for a protective order regarding the deposition of Thomas Wilcox [403-1] and granting defendants' motion for leave to take the deposition of Thomas Wilcox. [414-1] (cc: all counsel) (MG) (Entered: 06/03/2002)
05/31/2002	492	MINUTE ORDER ENTERED by Clerk finding plaintiff's motion to extend time until 05/31/02 in which to file its reply to defendants' memorandum in opposition to their motion for leave to file a surreply [483-1] moot. (cc: all counsel) (MG) (Entered: 06/03/2002)
06/04/2002	493	MINUTE ORDER ENTERED by Clerk referring from Judge Carlos Murguia to Magistrate Judge David J. Waxse plaintiff's motion to compel testimony from Robert Sansom. [410-1] (cc: all counsel) (MG) (Entered: 06/04/2002)
06/04/2002	494	SURREPLY by plaintiff to defendants' reply memorandum [343-1] and [342-1] in support of their motion for summary judgment dismissing all counts in plaintiff's first amended complaint; referred to Judge Carlos Murguia. [341-1] (FILED UNDER SEAL) (MG) (Entered: 06/04/2002)

06/14/2002	495	RULE 26(a)(3) OBJECTIONS by plaintiff to defendants' joint proposed supplemental trial exhibits. [481-1] (MG) (Entered: 06/17/2002)
06/14/2002	496	OBJECTIONS by plaintiff to deposition testimony designated by defendants [482-1] of Burlington Northern and Santa Fe witnesses. (MG) (Entered: 06/17/2002)
06/14/2002	496	COUNTER-DESIGNATION OF DEPOSITIONS by plaintiff. (MG) (Entered: 06/17/2002)
06/14/2002	497	OBJECTIONS by plaintiff to deposition testimony designated by defendants [482-1] of Union Pacific witnessess. (MG) (Entered: 06/17/2002)
06/14/2002	497	COUNTER-DESIGNATION OF DEPOSITIONS by plaintiff. (MG) (Entered: 06/17/2002)
06/14/2002	498	OBJECTIONS by plaintiff to deposition testimony designated by defendants [482-1] of Western Resources witnessess. (MG) (Entered: 06/17/2002)
06/14/2002	498	COUNTER-DESIGNATION OF DEPOSITIONS by plaintiff. (MG) (Entered: 06/17/2002)
06/14/2002	499	OBJECTIONS by defendants to plaintiff's deposition designations. [479-1], [478-1], [477-1], [476-1], [475-1], [474-1], [473-1], [472-1], [471-1], [470-1], [469-1], [468-1], [467-1], [466-1], [465-1], [464-1], [463-1], [462-1], [461-1], [460-1], [459-1], [458-1], [457-1], [456-1], [455-1], [454-1], [453-1], [452-1], [451-1], [450-1], and [449-1] (MG) (Entered: 06/17/2002)
06/14/2002	499	COUNTER-DESIGNATIONS OF DEPOSITIONS by defendants. (MG) (Entered: 06/17/2002)
06/19/2002	500	MEMORANDUM AND ORDER by Judge Carlos Murguia: denying defendants' motion for partial summary judgment dismissing plaintiff's claims for contract termination and restitution. [71-1] 18 pages (cc: all counsel) (MG) (Entered: 06/19/2002)
06/26/2002	501	MEMORANDUM AND ORDER: by Judge Carlos Murguia denying defendants' motion for judgment on the pleadings dismissing plaintiff's restitution claim for lack of subject matter jurisdiction, or, in the alternative for failure to state claim on which relief may be granted. [77-1] 14 pages (cc: all counsel) (MG) (Entered: 06/26/2002)
06/26/2002	502	MEMORANDUM AND ORDER by Magistrate Judge David J. Waxse: upon in camera review of document 3 and 330 as described in plaintiff's second amended privilege log, the Court finds that plaintiff shall be required to produce document 330; further, plaintiff shall be required to produce a redacted copy of document 3. For detailed information, see this memorandum and order. 6 pages (cc: all counsel) (MG) (Entered: 06/26/2002)
07/02/2002	503	JOINT MOTION (to approve stipulated) extension of in limine motion deadlines by plaintiff and defendants; referred to Judge Carlos Murguia (MG) (Entered: 07/03/2002)
07/03/2002	504	OBJECTIONS by plaintiff to counter-designations of deposition testimony of defendants [499-1] (KM) Modified on 07/05/2002 (Entered: 07/05/2002)

07/03/2002	504	REBUTTAL DESIGNATION OF DEPOSITIONS by plaintiff (KM) (Entered: 07/05/2002)
07/03/2002	505	OBJECTIONS and response by defendants to rebuttal deposition designations [504-1], objection to counter-designations of defendants [504-1] (KM) (Entered: 07/05/2002)
07/05/2002	506	MOTION for supplemental ruling in light of the Court's 06/26/02 memorandum and order by defendants; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) Modified on 07/08/2002 (Entered: 07/08/2002)
07/05/2002	507	MEMORANDUM in support of their motion for supplemental ruling in light of the Court's 06/26/02 memorandum and order by defendants; referred to Judge Murguia. [506-1] (FILED UNDER SEAL) (MG) (Entered: 07/08/2002)
07/10/2002	508	MOTION with memorandum in support to continue the current trial date of 08/06/02 by defendants; referred to Judge Carlos Murguia (MG) (Entered: 07/11/2002)
07/10/2002	509	OMNIBUS MOTION in limine by defendants; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) Modified on 07/11/2002 (Entered: 07/11/2002)
07/10/2002	510	MEMORANDUM in support of their omnibus motion in limine by defendants; referred to Judge Carlos Murguia. [509-1] (FILED UNDER SEAL) (MG) (Entered: 07/11/2002)
07/10/2002	511	APPENDIX of unpublished opinions cited in their omnibus motion in limine by defendants; referred to Judge Carlos Murguia. [509-1] (MG) (Entered: 07/11/2002)
07/10/2002	512	(CONSOLIDATED) MOTIONS in limine by plaintiff; referred to Judge Carlos Murguia (MG) (Entered: 07/11/2002)
07/10/2002	513	MEMORANDUM in support of their consolidated motions in limine by plaintiff; referred to Judge Carlos Murguia. [512-1] (FILED UNDER SEAL) (MG) (Entered: 07/11/2002)
07/10/2002	514	MOTION in limine regarding contract negotiations and terms and conditions of other contracts by plaintiff; referred to Judge Carlos Murguia (MG) (Entered: 07/11/2002)
07/10/2002	515	MEMORANDUM in support of their motion in limine regarding contract negotiations and terms and conditions of other contracts by plaintiff; referred to Judge Carlos Murguia. [514-1] (FILED UNDER SEAL) (MG) (Entered: 07/11/2002)
07/10/2002	516	(GENERAL) MOTIONS in limine by defendants; referred to Judge Carlos Murguia (MG) (Entered: 07/11/2002)
07/11/2002	517	MEMORANDUM in opposition by plaintiff to defendants' motion to continue the current trial date of 08/06/02; referred to Judge Carlos Murguia. [508-1] (MG) (Entered: 07/12/2002)
07/12/2002	518	

		REPLY by defendants to plaintiff's response to their motion to continue the current trial date of 08/06/02; referred to Judge Carlos Murguia. [508-1] (MG) (Entered: 07/15/2002)
07/15/2002	519	ORDER ENTERED: by Judge Carlos Murguia granting parties' joint motion (to approve stipulated) extension of in limine motion deadlines. [503-1] Deadline for motions in limine is 07/10/02; responses due 07/24/02; replies due 07/29/02. (cc: all counsel) (MG) (Entered: 07/15/2002)
07/15/2002	520	MEMORANDUM in opposition by plaintiff Western Resources to motion for supplemental ruling in light of the Court's 06/26/02 memorandum and order by defendants; referred to Judge Carlos Murguia [506-1] (CK) (Entered: 07/16/2002)
07/16/2002	521	NOTICE OF HEARING before Judge Carlos Murguia: hearing on motion for summary judgment set for 9:00 a.m. on 7/23/02 (cc: all counsel) (MG) (Entered: 07/17/2002)
07/16/2002	522	NOTICE OF HEARING before Judge Carlos Murguia: Daubert hearing set for 9:30 a.m. on 8/7/02 (cc: all counsel) (MG) (Entered: 07/17/2002)
07/16/2002	523	NOTICE OF HEARING before Judge Carlos Murguia: hearing on motions in limine set for 9:30 a.m. on 8/15/02 (cc: all counsel) (MG) (Entered: 07/17/2002)
07/16/2002	524	NOTICE OF HEARING before Judge Carlos Murguia granting defendants' motion to continue the current trial date of 08/06/02 [508-1]; jury trial set for 08/06/02 is continued to 1:30 p.m. on 8/19/02 (cc: all counsel) (MG) (Entered: 07/17/2002)
07/17/2002	525	REPLY (MEMORANDUM IN SUPPORT) by defendants to plaintiffs' response to their motion for supplemental ruling in light of the Court's 06/26/02 memorandum and order; referred to Judge Carlos Murguia. [506-1] (FILED UNDER SEAL) (MG) Modified on 07/18/2002 (Entered: 07/18/2002)
07/19/2002	526	MEMORANDUM regarding supplemental evidence in support of defendants' motion for summary judgment dismissing all counts in plaintiff's first amended complaint; referred to Judge Carlos Murguia. [341-1] (FILED UNDER SEAL) (MG) (Entered: 07/22/2002)
07/23/2002	527	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse granting in part and denying in part movants Thomas Crowley and L E Peabody & Associates' motion for protective order barring enforcement of Union Pacific's subpoena. [325-1] Motion is granted to the extent that Peabody/Crowley shall not be required to respond to requests 1-5 of the subpoena and denied to the extent that Peabody/Crowley shall be required to respond to requests 6-8. Documents in response to the referenced requests are deemed confidential. 12 pages (cc: all counsel) (MG) (Entered: 07/23/2002)
07/23/2002	528	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse denying plaintiff's motion to compel production of documents from John Klick, FTI Consulting, Inc., Robert Sansom, and Energy Ventures Analysis, Inc. [328-1] 5 pages (cc: all counsel) (MG) (Entered: 07/23/2002)

07/23/2002	529	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse denying defendant Union Pacific's motion to compel L.E. Peabody & Associates and Thomas D. Crowley to produce documents. [332-1] 5 pages (cc: counsel) (MG) (Entered: 07/23/2002)
07/23/2002	530	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse granting defendant Burlington Northern's motion to compel Lyman Transportation and Logistics, Inc., William C. Lyman, Vicon Energy LLC., and Gary W. Vicinus to produce documents. [336-1] 6 pages (cc: all counsel) (MG) (Entered: 07/23/2002)
07/23/2002	531	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse granting plaintiff's motion to compel Mr. William E. Greenwood's compliance with subpoena. [331-1] William Greenwood shall respond to the referenced subpoena within eleven (11) days from the date of this order. 9 pages (cc: all counsel) (MG) (Entered: 07/24/2002)
07/23/2002	532	MINUTE SHEET of motions hearing before Judge Carlos Murguia denying defendants' motion to continue the current trial date [508-1] (trial set for 08/19/02 at 1:30 p.m.), granting in part, as noted on the record, defendants' motion for supplemental ruling in light of the Court's 06/26/02 memorandum and order [506-1], finding defendant Burlington Northern's motion to strike plaintiff's jury demand [310-1] moot, granting in part and denying in part, defendant Union Pacific's motion for summary judgment dismissing all counts in plaintiff's first amended complaint [341-1], and granting as noted on the record, plaintiff's motion for partial summary judgment [344-1] Motions hearing held 07/23/02; trial set for 08/19/02 at 1:30 p.m. Court Reporter: Nancy Wiss (MG) (Entered: 07/24/2002)
07/26/2002	533	SUMMARY OF STATUS REPORT of pending motions by defendants. (MG) (Entered: 07/29/2002)
07/26/2002	534	(SUBMISSION) STATEMENT by defendants concerning proposed experts, as requested by the Court. (FILED UNDER SEAL) (MG) (Entered: 07/29/2002)
07/30/2002	535	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse denying plaintiff's motion to compel testimony from Robert Sansom. [410-1] 2 pages (cc: all counsel) (MG) (Entered: 07/30/2002)
07/30/2002	536	MEMORANDUM AND ORDER: by Magistrate Judge David J. Waxse granting in part and denying in part defendants' motion to compel testimony from Thomas D. Crowley [334-1]; defendants' motion is granted to the extent that Crowley shall be required to respond to questions seeking confidential information, but if plaintiff or Crowley claim that compliance with this order violates the terms and conditions of a prior order of any court, then plaintiff and/or Crowley shall file a motion for protective order within five (5) days from the date of this order and attach as an exhibit copies of the applicable protective order(s) from such other courts. It is further ordered that, given plaintiff agrees in its pleading to produce Crowley for deposition to testify regarding communications that previously were the subject of attorney-client privilege and work product objections, that portion of defendants' motion is denied as moot. 3 pages (cc: all counsel) (MG) (Entered: 07/30/2002)

08/02/2002	537	MEMORANDUM in opposition by plaintiff to defendants' omnibus motion in limine by defendants; referred to Judge Carlos Murguia. [509-1] (FILED UNDER SEAL) (MG) Modified on 08/02/2002 (Entered: 08/02/2002)
08/02/2002	538	RESPONSE by plaintiff to defendants' general motions in limine; referred to Judge Carlos Murguia. [516-1] (FILED UNDER SEAL) (MG) Modified on 08/05/2002 (Entered: 08/05/2002)
08/02/2002	539	MEMORANDUM in opposition by defendants to plaintiff's (consolidated) motions in limine; referred to Judge Carlos Murguia. [512-1] (FILED UNDER SEAL) (MG) (Entered: 08/05/2002)
08/02/2002	540	MEMORANDUM in opposition by defendants to plaintiff's motion in limine regarding contract negotiations and terms and conditions of other contracts; referred to Judge Carlos Murguia. [514-1] (FILED UNDER SEAL) (MG) (Entered: 08/05/2002)
08/05/2002	541	MINUTE SHEET of motions hearing before Judge Carlos Murguia; motions hearing held 08/05/02; plaintiff's oral motion for reconsideration granted as stated on the record. Prior ruling modified as stated on the record [506-1]; set aside moot ruling, motion denied [310-1]; and prior ruling modified as stated on the record. [341-1] Court Reporter: Nancy Wiss (MG) (Entered: 08/06/2002)
08/06/2002	542	SUPPLEMENTAL EXHIBIT LIST by plaintiff regarding exhibit list. [398-1] (MG) (Entered: 08/06/2002)
08/08/2002	543	JOINT SECOND SUPPLEMENTAL EXHIBIT LIST by defendants regarding their supplemental exhibit list. [481-1] (MG) (Entered: 08/08/2002)
08/09/2002	544	BRIEF FILED by plaintiff concerning damages and their proper measure. (FILED UNDER SEAL) (MG) Modified on 08/12/2002 (Entered: 08/12/2002)
08/12/2002	545	MINUTE SHEET of Daubert hearing before Judge Carlos Murguia: denying defendants' motion to seal Daubert proceedings, granting in part and denying in part as stated on the record, defendant's motion to exclude or limit the testimony of plaintiff's expert Thomas D. Crowley [367-1], granting in part and denying in part as stated on the record, defendant's motion to exclude or limit the testimony of plaintiff's expert William C. Lyman [368-1], denying plaintiff's motion in limine to preclude certain testimony of John C. Klick [362-1], and denying defendant's motion to exclude testimony of plaintiff's rebuttal witness Matthew Harris. [360-1] Daubert hearing held 08/07/02 and continued on 08/08/02 Court Reporter: Nancy Wiss (MG) (Entered: 08/12/2002)
08/12/2002	546	SUPPLEMENTAL Deposition Designations by defendant Union Pacific RR Co & Burlington No Santa; re: documents [482-1] (CK) (Entered: 08/13/2002)
08/13/2002	547	THIRD SUPPLEMENTAL exhibit list by defendants; regarding their second supplemental [543-1], first supplemental [542-1], and exhibit list [398-1] (MG) (Entered: 08/14/2002)
08/14/2002	548	

		BRIEF FILED by defendants concerning the availability and proper measure of damages. (FILED UNDER SEAL) (MG) Modified on 08/15/2002 (Entered: 08/15/2002)
08/14/2002	559	MINUTE SHEET of motions in limine hearing before Judge Carlos Murguia: denying as set out on the record plaintiff's motion in limine to preclude certain expert testimony of William E. Greenwood [364-1], denying as set out on the record defendants' motion to exclude or limit the testimony of plaintiff's expert Gary W. Vicinus [371-1], denying as set out on the record plaintiff's motion in limine to preclude expert testimony of Robert Sansom [363-1], denying as set out on the record plaintiff's motion in limine to preclude expert testimony of Andrew J. Cebula [365-1], granting in part and denying in part, as set out on the record, defendants' motion in limine [509-1], granting in part and denying in part, as set out on the record, defendants' motion in limine [516-1], granting in part and denying in part, as set out on the record, plaintiff's motion in limine [512-1], and granting as set out on the record plaintiff's motion in limine regarding contract negotiations and terms and conditions of other contracts. [514-1] Motions in limine held 08/14/02 (MG) (Entered: 08/21/2002)
08/15/2002	549	MOTION with memorandum in support to modify the pretrial order to update damage claims by plaintiff; referred to Judge Carlos Murguia (MG) (Entered: 08/15/2002)
08/15/2002	550	MOTION for attorney Joshua D. Wolson to appear pro hac vice by defendant Union Pacific RR Company; referred to Judge Carlos Murguia. (cc: Attorney Admissions) (MG) (Entered: 08/15/2002)
08/15/2002		PRO HAC VICE FEE PAID regarding defendant Union Pacific's motion for attorney Joshua D. Wolson to appear pro hac vice; referred to Judge Carlos Murguia (cc: Attorney Admissions) [550-1] by attorney James Yeretsky on 08/15/02 in the amount of \$10.00. (Receipt #095144) (MG) (Entered: 08/15/2002)
08/15/2002	551	DESIGNATION OF DEPOSITIONS of William Jack Reid by defendants. (MG) (Entered: 08/15/2002)
08/16/2002	552	PROPOSED JURY INSTRUCTIONS by plaintiff. (MG) (Entered: 08/19/2002)
08/16/2002	553	ORDER ENTERED: by Judge Carlos Murguia granting defendant Union Pacific's motion for attorney Joshua D. Wolson to appear pro hac vice. (cc: Attorney Admissions) [550-1] (cc: all counsel) (MG) (Entered: 08/19/2002)
08/16/2002	560	MINUTE SHEET of teleconference held before Judge Carlos Murguia on 08/16/02; the Court ruled on deposition designations and addressed pretrial matters. (MG) (Entered: 08/21/2002)
08/19/2002	554	TRIAL BRIEF submitted by defendant Union Pacific RR. (FILED UNDER SEAL) (MG) (Entered: 08/19/2002)
08/19/2002	555	MEMORANDUM in opposition by defendants to plaintiff's motion to modify (amend) the pretrial order to update damage claims; referred to Judge Carlos Murguia. [549-1] (MG) (Entered: 08/19/2002)

08/19/2002	556	ORDER ENTERED: by Judge Carlos Murguia; granting motion to modify the pretrial order to update damage claims by plaintiff [549-1]; (cc: all counsel) (TRS) (Entered: 08/20/2002)
08/20/2002	557	PROPOSED JURY INSTRUCTIONS by defendants. (MG) (Entered: 08/21/2002)
08/20/2002	558	OBJECTIONS by defendants to plaintiff's proposed jury instructions. [552-1] (MG) (Entered: 08/21/2002)
09/03/2002	561	OBJECTIONS by plaintiff to defendants' proposed jury instructions. [557-1] (MG) (Entered: 09/03/2002)
09/03/2002	562	REQUEST by plaintiff for judicial notice. (Filed in open Court.) (MG) (Entered: 09/04/2002)
09/04/2002	563	MOTION for judgment as a matter of law by defendants; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) (Entered: 09/05/2002)
09/04/2002	564	MEMORANDUM in support of their motion for judgment as a matter of law by defendants; referred to Carlos Murguia. [563-1] (FILED UNDER SEAL) (MG) Modified on 09/05/2002 (Entered: 09/05/2002)
09/06/2002	565	SUPPLEMENTAL JURY INSTRUCTIONS by defendants. [557-1] (MG) (Entered: 09/06/2002)
09/09/2002	568	MOTION for judgment as a matter of law at the close of all evidence by defendants; referred to Judge Carlos Murguia (FILED UNDER SEAL) (MG) (Entered: 09/12/2002)
09/09/2002	569	MEMORANDUM in support of their motion for judgment as a matter of law at the close of all evidence by defendants; referred to Judge Carlos Murguia. [568-1] (FILED UNDER SEAL) (MG) (Entered: 09/12/2002)
09/10/2002	566	MOTION with memorandum in support for judgment as a matter of law by plaintiff; referred to Judge Carlos Murguia (MG) (Entered: 09/10/2002)
09/10/2002	567	BRIEF FILED by plaintiff regarding submission to the jury of the alternative remedies of breach of contract and termination. (MG) (Entered: 09/10/2002)
09/11/2002	572	JURY INSTRUCTIONS BY COURT. (MG) (Entered: 09/13/2002)
09/12/2002	570	MINUTE ORDER ENTERED by Clerk: upon direction of the Court, the Court orders that lunch be provided by the Clerk to the jury members during their deliberations. (cc: all counsel) (MG) (Entered: 09/13/2002)
09/12/2002	571	MINUTE SHEET of jury trial before Judge Carlos Murguia: jury trial held from 08/19/02 to 09/12/02; jury impaneled and sworn on 08/19/02 , verdict returned at 2:30 p.m. on 09/12/02 in favor of defendants against plaintiff Court Reporter: Nancy Wiss (MG) (Entered: 09/13/2002)
09/12/2002	573	VERDICT for defendants Union Pacific RR Company and Burlington Northern and Santa Fe Railway Company and against plaintiff Western Resources. (MG) (Entered: 09/13/2002)
09/16/2002	574	

		JUDGMENT ENTERED BY CLERK re Jury Verdict [573-1]; It is ordered and adjudged that plaintiff take nothing and the action is dismissed on the merits; defendants to recover of plaintiff their costs of actions; terminating case (cc: all counsel) (CK) (Entered: 09/17/2002)
09/19/2002	575	MINUTE SHEET of hearing before Judge Carlos Murguia: Offers of Proof regarding the witnesses and certain exhibits were submitted to the Court, UNDER SEAL, as part of the record. (CK) (Entered: 09/19/2002)
09/19/2002	576	MOTION to modify the stipulated protective order to add J. Michael Hemmer to the list of Union Pacific in-house counsel by defendant Union Pacific RR Company; referred to Judge Carlos Murguia (MG) (Entered: 09/20/2002)
09/23/2002	577	ORDER ENTERED: by Judge Carlos Murguia granting motion to modify the stipulated protective order to add J. Michael Hemmer to the list of Union Pacific in-house counsel by defendant Union Pacific RR Company [576-1] (cc: all counsel) (CK) (Entered: 09/24/2002)
09/30/2002	578	MOTION for a new trial by plaintiff; referred to Judge Carlos Murguia (MG) (Entered: 10/01/2002)
09/30/2002	579	MEMORANDUM in support of their motion for a new trial by plaintiff; referred to Judge Carlos Murguia. (MG) (Entered: 10/01/2002)
10/15/2002	580	MEMORANDUM in (OPPOSITION) by defendants to plaintiff's motion for a new trial; referred to Judge Carlos Murguia. [578-1] (FILED UNDER SEAL) (MG) (Entered: 10/16/2002)
10/16/2002	581	EXHIBITS by defendant in support of their memorandum (opposition) [580-1] to plaintiff's motion for a new trial; referred to Judge Carlos Murguia. [578-1] (FILED UNDER SEAL)(MG) Modified on 10/16/2002 (Entered: 10/16/2002)
10/28/2002	582	REPLY memorandum in support by plaintiff to defendants' response to their motion for a new trial by plaintiff; referred to Judge Carlos Murguia. [578-1] (MG) (Entered: 10/29/2002)
12/04/2002	583	MOTION to seal portions of trial transcript and related exhibits by defendants Union Pacific RR Co; referred to Judge Carlos Murguia (FILED UNDER SEAL) (TRS) Modified on 12/05/2002 (Entered: 12/05/2002)
12/18/2002	584	RESPONSE by plaintiff to defendant's motion to seal portions of trial transcript and related exhibits by defendants Union Pacific; referred to Judge Carlos Murguia. [583-1] (MG) (Entered: 12/19/2002)
12/31/2002	585	AGREED MOTION to extend time until 01/15/03 in which to file their reply memorandum in support of their motion to seal portions of the trial transcript and related exhibits by plaintiff and defendants; referred to Judge Carlos Murguia (MG) (Entered: 12/31/2002)
01/06/2003	586	ORDER ENTERED: by Judge Carlos Murguia granting agreed motion to extend time until 01/15/03 in which to file their reply memorandum in support of their motion to seal portions of the trial transcript and related exhibits. [585-1] (cc: all counsel) (MG) (Entered: 01/07/2003)
01/15/2003	587	

		REPLY (in support) by defendants to plaintiff's response to their motion to seal portions of trial transcript and related exhibits; referred to Judge Carlos Murguia. [583-1] (FILED UNDER SEAL) (MG) Modified on 01/15/2003 (Entered: 01/15/2003)
01/15/2003	588	ORDER ENTERED: by Judge Carlos Murguia granting defendants' motion to seal portions of trial transcript and related exhibits. [583-1] (cc: all counsel) (MG) (Entered: 01/16/2003)
03/06/2003	589	ORDER denying 578 Motion for New Trial . Signed by Judge Carlos Murguia on 3/6/03. (jc) (Entered: 03/06/2003)
04/04/2003	590	NOTICE OF APPEAL by Plaintiff Western Resources, Inc.. (Hanna, William) (Entered: 04/04/2003)
04/04/2003		APPEAL FEE PAID in the amount of \$105 Receipt No. 098172 re Notice of Appeal 590 filed by Western Resources, Inc. (ck) (Entered: 04/04/2003)
04/15/2003		PRELIMINARY RECORD ON APPEAL transmitted to 10CCA regarding Plaintiff's 590 Notice of Appeal filed 04/04/03. (mg) (Entered: 04/15/2003)
04/15/2003	591	Letter to 10CCA stating Appeal Fee has been paid regarding Plaintiff's 590 Notice of Appeal. (Attachments: # 1 Receipt for Preliminary Record on Appeal Received)(mg) (Entered: 04/15/2003)
04/15/2003	592	Letter to Counsel regarding Plaintiff's 590 Notice of Appeal. (Attachments: # 1 List of Attorneys with addresses. # 2 Letter from the 10CCA to Retained Counsel filing this Appeal. # 3 Designation Form.)(mg) (Entered: 04/15/2003)
04/23/2003	593	RECEIPT FROM 10CCA of Preliminary Record on Appeal 10CCA regarding Plaintiff's 590 Notice of Appeal. Appeal No. 03-3117. (mg) (Entered: 04/24/2003)
04/23/2003	594	APPEAL DOCKETED in 10CCA on 04/21/03 and assigned Appeal No. 03-3117 regarding Plaintiff's 590 Notice of Appeal filed by Western Resources, Inc.. (mg) (Entered: 04/24/2003)
05/22/2003	595	TRANSCRIPT ORDER FORM by Court Reporter Nancy Wiss: Plaintiff ordering transcripts of opening statements, trial proceedings, instruction CNF, jury instructions, and closing arguments regarding 590 Notice of Appeal filed by Plaintiff Western Resources, Inc. (Appeal No. 03-3117) Transcripts due by 6/20/2003. (mg) (Entered: 05/27/2003)
06/12/2003	596	TRANSCRIPT ORDER FORM by Court Reporter Nancy Wiss ordering transcripts of supplement to trial transcript request re 590 Notice of Appeal filed by Western Resources, Inc., 595 Transcript Order Form, (Appeal No. 03-3117) (Dalgleish, Douglas) (Entered: 06/12/2003)
06/16/2003	597	TRANSCRIPT, pages 1-65, of Dispositive Motions Hearing held 07/23/02 before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. (mg) (Entered: 06/17/2003)
06/16/2003	598	TRANSCRIPT, pages 1-33, of Teleconference held 08/02/02 before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. (mg) (Entered: 06/17/2003)

06/16/2003	599	TRANSCRIPT, pages 1-34, of Excerpt Transcript of Rulings by the Court held 08/19/02 and 08/20/02 before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. (mg) (Entered: 06/17/2003)
06/16/2003	600	TRANSCRIPT of Jury Trial held 08/19/02, Day 1, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 1. (mg) (Entered: 06/17/2003)
06/16/2003	601	TRANSCRIPT of Jury Trial held 08/20/02, pages 173-249, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 2. (Attachments: #(1) pages 250-325; #(2) pages 326-396)(mg) (Entered: 06/17/2003)
06/16/2003	602	TRANSCRIPT of Jury Trial held 08/21/02, pages 397-475, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 3. (Attachments: #(1) pages 476-550; #(2) pages 551-612)(mg) (Entered: 06/17/2003)
06/16/2003	603	TRANSCRIPT of Jury Trial held 08/22/02, pages 613-675, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 4. (Attachments: #(1) pages 676-750; #(2) pages 751-809)(mg) (Entered: 06/17/2003)
06/16/2003	604	TRANSCRIPT of Jury Trial held 08/23/02, pages 810-875, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 5. (Attachments: #(1) pages 876-950; #(2) pages 951-1025; #(3) pages 1026-1050)(mg) (Entered: 06/17/2003)
06/16/2003	605	TRANSCRIPT of Jury Trial held 08/26/02, pages 1051-1125, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 6. (Attachments: #(1) pages 1126-1196)(mg) (Entered: 06/17/2003)
06/16/2003	606	TRANSCRIPT of Jury Trial held 08/27/02, pages 1197-1275, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 7. (Attachments: #(1) pages 1276-1350; #(2) pages 1351-1413)(mg) (Entered: 06/17/2003)
06/16/2003	607	TRANSCRIPT of Jury Trial held 08/28/02, pages 1414-1450, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 8. (Attachments: #(1) pages 1451-1525; #(2) pages 1526-1600; #(3) pages 1601-1649)(mg) (Entered: 06/17/2003)
06/16/2003	608	TRANSCRIPT of Jury Trial held 08/29/02, pages 1650-1725, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 9. (Attachments: #(1) pages 1726-1793)(mg) (Entered: 06/17/2003)
06/16/2003	609	TRANSCRIPT of Jury Trial held 08/30/02, pages 1794-1875 before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 10. (Attachments: # 1) pages 1876-1950; #(2) pages 1951-2020)(mg) (Entered: 06/17/2003)

06/16/2003	610	TRANSCRIPT of Jury Trial held 09/03/02, pages 2021-2075, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal Court Reporter: Nancy Wiss. Volume: 11. (Attachments: #(1) pages 2076-2150; #(2) pages 2151-2216)(mg) (Entered: 06/17/2003)
06/16/2003	611	TRANSCRIPT of Jury Trial held 09/04/02, pages 2217-2275, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 12. (Attachments: #(1) pages 2276-2350; #(2) pages 2351-2405)(mg) (Entered: 06/17/2003)
06/16/2003	612	TRANSCRIPT of Jury Trial held 09/05/02, pages 2406-2475 before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal Court Reporter: Nancy Wiss. Volume: 13. (Attachments: #(1) pages 2476-2550; #(2) pages 2551-2626)(mg) (Entered: 06/17/2003)
06/16/2003	613	TRANSCRIPT of Jury Trial held 09/06/02, pages 2627-2700, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 14. (Attachments: #(1) pages 2701-2775; #(2) pages 2776-2803)(mg) (Entered: 06/17/2003)
06/16/2003	614	TRANSCRIPT of Jury Trial held 09/09/02, pages 2804-2875, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 15. (Attachments: #(1) pages 2876-2950; #(2) pages 2951-3008)(mg) (Entered: 06/17/2003)
06/16/2003	615	TRANSCRIPT of Jury Trial held 09/10/02, pages 3009-3075 before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 16. (Attachments: #(1) pages 3076-3108)(mg) (Entered: 06/17/2003)
06/16/2003	616	TRANSCRIPT of Jury Trial held 09/11/02 and 09/12/02, pages 3109-3175, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 17. (Attachments: #(1) pages 3176-3208)(mg) (Entered: 06/17/2003)
06/16/2003	617	(SEALED) TRANSCRIPT of Excerpted Portions held 08/30/02 and 09/03/02, pages 1-17, before Judge Carlos Murguia, regarding Plaintiff's 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: SEALED. (mg) (Entered: 06/17/2003)
06/18/2003	618	Letter to 10CCA stating the record is complete for purpose of appeal, regarding Plaintiff's 590 Notice of Appeal. (Appeal No. 03-3117) (mg) (Entered: 06/18/2003)
06/25/2003	619	TRANSCRIPT of proceedings held 08/07/02 before Judge Carlos Murguia, regarding 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 1. Pages 1-75. (Attachments: #(1) pages 76-150; #(2) pages 151-225; and #(3) pages 226-256)(mg) (Entered: 06/25/2003)
06/25/2003	620	TRANSCRIPT of proceedings held 08/08/02 before Judge Carlos Murguia, regarding 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 1. Pages 1-75. (Attachments: #(1) pages 76-150; #(2) pages 151-225; and #(3) pages 226-234)(mg) (Entered: 06/25/2003)

06/25/2003	621	(SEALED) TRANSCRIPT of excerpted portions of proceedings held 08/07/02 before Judge Carlos Murguia, regarding 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 1. (FILED UNDER SEAL) (mg) (Entered: 06/25/2003)
06/25/2003	622	TRANSCRIPT of Motion in Limine hearing held 08/14/02 before Judge Carlos Murguia, regarding 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 1. (mg) (Entered: 06/25/2003)
06/25/2003	623	TRANSCRIPT of Teleconference proceedings held 08/16/02 before Judge Carlos Murguia, regarding 590 Notice of Appeal. Court Reporter: Nancy Wiss. Volume: 1. (mg) (Entered: 06/25/2003)
07/03/2003	624	RETURN MAIL re 618 Letter to 10CCA addressed to Timothy J. Racicot; not remailed no better address (trs) (Entered: 07/07/2003)
11/10/2003	625	APPEAL MANDATE from 10CCA dismissing this appeal as to Notice of Appeal - Final Judgment 590 filed by Western Resources, Inc. (mg) (Entered: 11/12/2003)
02/12/2004	626	JOINT MOTION return of exhibits, sealed documents and depositions for destruction by counsel by Defendants Burlington Northern and Santa Fe Railroad Company, The, Union Pacific Railroad Company, Plaintiff Western Resources, Inc. (Dalglish, Douglas) Title modified on 2/13/2004 (ck). (Entered: 02/12/2004)
02/12/2004	627	NOTICE OF ENDORSEMENT by Union Pacific Railroad Company 626 <i>Joint Agreed Motion for Return of Exhibits, Sealed Documents and Depositions for Destruction by Counsel</i> (Leff, Craig) Title modified and Relationship Link created on 2/13/2004 (ck). (Entered: 02/12/2004)
02/17/2004	628	ORDER granting 626 Motion to Release All Documents and Other Materials Filed or Maintained Under Seal by the Court. Signed by Judge Carlos Murguia on 02/17/04. (mg) (Entered: 02/17/2004)
02/25/2004	629	RECEIPT FOR SEALED DOCUMENTS as to Burlington Northern and Santa Fe Railroad Company. (ck) (Entered: 02/25/2004)

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